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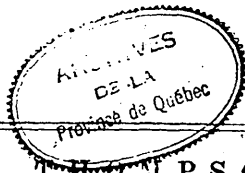
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THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Quebec, Tuesday, February 28, 1859.

This Day, at THREE o'clock P.M., HIS EXCELLENCY THE GOVERNOR GENERAL arrived in state at the Chamber of the House, in the Parliament Building. The Members of the Legislative Council being assembled, His Excellency was pleased to command the attendance of the Legislative Assembly, and that House being present, HIS EXCELLENCY was pleased to open the THIRD SESSION OF THE SIXTH PARLIAMENT OF THE PROVINCE OF CANADA with the following Speech from the THRONE :

*Honorable Gentlemen of the Legislative Council :
Gentlemen of the Legislative Assembly :*

I have much pleasure in announcing to you that your joint address of last Session, inviting the Queen to visit Canada, has been laid at the foot of the Throne, and that Her Majesty's Most Gracious answer will forthwith be placed in your hands. You will see with satisfaction that we may hope for the honor of receiving His Royal Highness the Prince of Wales, in such a manner as will prove the hearty loyalty of all ranks among us..

Negotiations have been carried on by the Post Master General, for securing the transmission through Canada of a large portion of the correspondence between Europe and America. The result of these negotiations has been such as to shew that the advantages of the route by the St. Lawrence are fully appreciated. At the same time, care has been taken to represent properly to Her Majesty's Government, the position and claims of Canada with reference to the postal subsidies granted to Ocean Steamers.

The Commissioners appointed to report on the boundary line between Upper and Lower Canada have completed their labours, so as to enable you to pass a bill for the settlement of this long pending question.

The Government have received suggestions from many sources with reference to the measure introduced last Session for the Consolidation of the Municipal Law of Lower Canada, and a bill will be submitted to you which may enable you to effect this important object.

I congratulate you on the issue of the Consolidated Statutes of Canada and of Upper Canada. I trust soon to see the same work completed for Lower Canada, and when this is done, we may hope that it will be followed by the further assimilation of the Laws in force in both sections of the Province.

I desire to call your attention to the Expediency of considering the Law of Debtor and Creditor in Commercial matters, as it exists both in Upper and Lower Canada, with a view to further legislation on this difficult subject, and I think, too, that the present system of Currency and Banking deserves your early and serious consideration.

A measure will be laid before you for the purpose of facilitating the administration of the Crown Lands.

Gentlemen of the Legislative Assembly :

If I may not congratulate you on having completely surmounted our financial difficulties, I think you will find that the Income and Expenditure for the past year have been such as to cause us no fear for the future.

Papers will be laid before you having reference to the Consolidation of the Public Debt,

and the successful exertions made by the Minister of Finance during the recess with a view of securing this important object. You will see that the depression under which we have laboured has not diminished our credit, but it has forcibly impressed on myself and my advisers the necessity of a strict and rigid economy. It is with this conviction that I ask you again to consider the propriety of making the requisite provision for the Queen's service.

The accounts for the several departments shall be placed in your hands with as little delay as possible.

Honorable Gentlemen, and Gentlemen :

It pleased Almighty God in the last autumn to bless our land with a plentiful harvest, and we see around us, at the present moment, the signs of a revival of commerce. I earnestly pray that these marks of returning prosperity may continue to increase, and that our people may have abundant cause to be thankful for the welfare of their country, and the maintenance of Law and Order.

It is at your hands that they expect such amendments and changes as may from time to time be needed, but I rejoice to think that few subjects of a broad and important character yet remain to be dealt with by immediate legislation.

I now leave you to the discharge of your legislative duties.

His Excellency then retired, and The Hon. Mr. Speaker took the chair.

Mr. WALKER came to the Table and took and subscribed the Oath prescribed by Law.

On the motion of the Hon. Mr. Vankoughnet, seconded by the Hon. Mr. Knowlton, it was resolved that the speech of His Excellency should be taken into consideration to-morrow.

ROYAL VISIT TO CANADA.

The Hon. Mr. VANKOUGHNET brought up a despatch received from Her Majesty's Secretary for the Colonies, in answer to the Address of both Houses, inviting Her Majesty to honor Her subjects with Her presence upon the occasion of the opening of the Victoria Bridge. The despatch was as follows :—

CANADA, }
No. 8. }

DOWNING STREET,
30th January, 1860.

SIR,

As the two Houses of the Canadian Legislature will soon re-assemble for the Despatch of Business, it becomes my duty to inform you that the Joint Address, to which they agreed at the close of their last Session, was duly presented to the Queen, and was most graciously received by Her Majesty.

2. In that Address, the Legislative Council and Commons of Canada, earnestly pray the Queen to receive in person the tribute of their unwavering attachment to Her rule, and to honor with Her presence Her subjects in British North America, upon the occasion of the opening of the great Victoria Bridge, accompanied by the Prince Consort, and such members of the Royal Family as it may please Her Majesty to attend Her on the occasion.

3. Her Majesty values deeply the attachment to Her Person, and the loyalty to Her Crown, which have induced this Address, and I am commanded to assure the Legislature, through you, how lively an interest is felt by the Queen in the growing prosperity of Canada, in the welfare and contentment of Her subjects in that important Province of Her Empire, and in the completion of the gigantic work which is a fitting type of the successful industry of the people.

It is, therefore, with sincere regret that Her Majesty is compelled to decline compliance with this loyal invitation. Her Majesty feels that Her duties at the Seat of the Empire prevent so long an absence, and at so great a distance as a visit to Canada would necessarily require.

Impressed, however, with an earnest desire to testify to the utmost of Her power. Her warm appreciation of the affectionate loyalty of Her Canadian subjects, the Queen commands me to express Her hope that when the time for the opening of the Bridge is fixed, it may be possible for His Royal Highness the Prince of Wales to attend the ceremony in Her Majesty's name, and to witness those gratifying scenes in which the Queen is Herself unable to participate.

The Queen trusts that nothing may interfere with this arrangement, for it is Her Majesty's sincere desire that the Young Prince, on whom the Crown of this Empire will devolve, may have the opportunity of visiting that portion of Her Dominions from which this Address has proceeded, and may become acquainted with a people, in whose rapid progress towards greatness, Her Majesty, in common with Her subjects in Great Britain, feels a lively and enduring sympathy.

I have the honor to be,

Sir,

Your most obedient humble Servant

NEWCASTLE.

Governor,

The Right Honorable

Sir EDMUND WALKER HEAD, Bart.,

&c., &c., &c.

The House adjourned:

LEGISLATIVE ASSEMBLY,

Quebec, Tuesday, Feby., 28.

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

MESSAGE FROM THE GOVERNOR GENERAL

A Message was received from His Excellency the Governor General, requiring the attendance of the Members of this Hon. House in the Chamber of the Legislative Council.

The Members proceeded to the Legislative Council Chamber. After a short absence, they returned.

NEW ELECTIONS.

The SPEAKER informed the House that he had received from the Clerk of the Crown in Chancery certificates of the return of J. W. Loux, Esq., who had been elected to serve for the County of Russell in the room of G. B. L. Fellowes, Esq., who had resigned his seat, and also of the return of Adam Wilson, Esq., who had been elected to serve for the North Riding of York in the room of Joseph Hartman, Esq., deceased. He also informed the House that, during the recess, he had received official information that the Honorable Member for the County of Terrebonne, L. S. Morin, Esq., had accepted office under the Crown, and that he had accordingly issued his writ for a new election for the said county.

The newly elected member for Russell being in attendance, was introduced and took his seat.

HALDIMAND, & ARGENTEUIL ELECTIONS.

Mr. SPEAKER said he had the honor to announce to the House that he had that day received from the several Commissioners appointed to take evidence in that behalf, the evidence in the matters of the contested election, for the respective Counties of Haldimand and Argenteuil.

THE SPEECH FROM THE THRONE.

Mr. SPEAKER informed the House that when this House waited on His Excellency in the Chambers of the Legislative Council this day, His Excellency was pleased to deliver a gracious speech from the Throne, and for greater accuracy he had obtained a copy of the speech, which, for the information of the House, he would read in both the English and French languages.

The speech was read accordingly.

It was then resolved, on the motion of Mr. Attorney General CARTIER, seconded by Mr. Attorney General MACDONALD, that the speech of His Excellency should be taken into consideration to-morrow, with a view to an humble address being presented to His Excellency in answer thereto.

The House adjourned.

LEGISLATIVE COUNCIL.

Wednesday, February 29, 1860.

The SPEAKER took the chair at three o'clock.

ANSWER TO THE SPEECH OF HIS EXCELLENCY.

Order.—Consideration of the Answer to the Speech from the Throne.

Hon. Mr. BOULTON moved the following resolutions in answer to the address from the Throne:—

“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 of the Provincial Parliament, and further to assure His Excellency:

“That we receive with much pleasure the announcement made to us by His Excellency, that the joint address of last Session, inviting the Queen to visit Canada, has been laid at the foot of the Throne, and that Her Majesty's Most Gracious answer will forthwith be placed in our hands; And that we shall see with satisfaction that we may hope for the honour of receiving His Royal Highness the Prince of Wales, in such a manner as will prove the hearty loyalty of all ranks among us.

“That we rejoice to learn from His Excellency, that negotiations have been carried on by the Postmaster General, for securing the transmission through Canada of a large portion of the correspondence between Europe and America, that the result of these negotiations has been such as to show that the advantages of the route by the St. Lawrence are fully appreciated; and that at the same time care has been taken to represent properly to Her Majesty's Government the position and claims of Canada with reference to the postal subsidies granted to Ocean Steamers.

“That we have much satisfaction in being informed that the Commissioners appointed to report on the boundary line between Upper and Lower Canada have completed their labours so as to enable us to pass a Bill for the settlement of this long pending question.

“That we are happy to learn that the Government has received suggestions from many sources with reference to the measure introduced last session for the consolidation of the municipal law of Lower Canada, and that we shall give our best attention to any Bill submitted to us, which may enable us to effect this important object.

“That we receive with pleasure His Excellency's congratulations on the issue of the Consolidated Statutes of Canada and of Upper Canada. That we trust soon to see the same work for Lower Canada, and that when this is done, we believe with His Excellency, that we may hope that it will be followed by the further assimilation of the laws in force in both sections of the Province.

That we shall not fail to give our best attention to the expediency of considering the law of debtor and creditor in commercial matters, as it exists both in Upper and Lower Canada, with a view to further legislation on this difficult subject, and that we agree with His Excellency in thinking that the present system of currency and banking deserves our early and serious consideration.

“That any measure which His Excellency may cause to be laid before us for the purpose of facilitating the administration of the Crown Lands, shall receive our most earnest attention.

“That we thank His Excellency for the assurance that if he may not congratulate us on having completely surmounted our financial difficulties, he thinks we shall find that the income and expenditure for the past year have been such as to cause us no fear for the future.

That we shall receive with pleasure any papers which His Excellency may cause to be laid before us having reference to the Consolidation of the Public Debt, and the successful exertions made by the Minister of Finance during the recess, with a view of securing this important object. We rejoice to be assured of His Excellency's conviction that the depression under which we have laboured has not diminished our credit, although it has forcibly impressed on His Excellency and his advisers, the

necessity of a strict and rigid economy. Participating in this conviction, we shall be ready again to consider the propriety of making the requisite provision for the Queen's service.

"That we thank His Excellency for the assurance that the accounts for the several departments shall be placed in our hands with as little delay as possible.

"That we are profoundly grateful that it pleased Almighty God in the last autumn to bless our land with a plentiful harvest, and that we see around us, at the present moment, the signs of a revival of commerce. We earnestly pray that these marks of returning prosperity may continue to increase, and that our people may have abundant cause to be thankful for the welfare of their country, and the maintenance of law and order.

"That we shall use our utmost endeavours that the laws may receive at our hands such amendments and changes as may from time to time be needed, but that we rejoice with His Excellency to think that few subjects of a broad and important character yet remain to be dealt with by immediate legislation."

The hon. gentleman remarked that he was upwards of sixty years old, a great many years of which he had spent in the Legislative Council, and although on many occasions it had devolved upon him to perform the duty which he was now about to perform, yet on no occasion had he done so with so much pleasure as at present. The Government deserved great credit for what they had accomplished since the last Session of Parliament, especially for the Financial arrangements that had been entered into. When he looked at the present position of the Province and contrasted it with its position on days gone by, he was filled with admiration. Many years ago it had been his lot to be in England at the time the Hon. Mr. Dunn, the then Receiver General, was there negotiating from the rich firm of the Rothschilds, a small loan for some public purpose, which did not amount to more than £250,000. Mr. Dunn pointed out the advantages and resources of our Province, of its Canals and navigation, in glowing terms, but after listening to him for some time, Mr. Rothschild concluded the interview by saying, "Mr. Dunn, all this looks very well on paper. Your ship looks well but I am afraid that it will sink." Since then a great change has taken place—the position of the Province now might be favourably contrasted with what it was then, and for its present high position, the Finance Minister deserves credit. It was the constant remark of some people, with reference to the recent Financial arrangements, that we could have done better—that we could have borrowed money at a lower rate. But such was not the case; and it was a matter of astonishment and congratulation that the arrangements completed by the Finance Minister had been brought to such a successful issue. There was scarcely a nation in Europe that could have gone through what Canada had done and come out of the trial so safe, and there was scarcely a nation in Europe that had a national debt consolidated as Canada had. At the present moment Canada is in a proud position, and although as a nation she might attain to a more important position, yet he for one never wished

to see such a change in the constitution as would render her independent of the Mother country. While the Minister of Finance was entitled to much credit for his labours during the recess, the Post Master General was also entitled to great praise for the arrangements which he had effected in his department during the same period; and although the perfecting of those arrangements had been ushered in by a most melancholy occurrence, involving a dreadful loss of life, yet he hoped that the sad event would not mar the ultimate success of the enterprise. With regard to the resolutions, they were a mere echo of the speech; they showed he thought that a healthy state of things was beginning to exist; and as regarded the people themselves, he hoped and believed, from what he saw and heard, that a better and more amicable feeling was springing up, owing, he believed, to the intercourse that was had between them, and the more they met each other the stronger this feeling would become. When the union of the Provinces was first proposed, he opposed it. He did not think that it would work well. But, now that the Union was established, he would not be a party to breaking it, as it was undoubtedly for the advantage of the country that it should be maintained. But he should have mentioned, when speaking of the recent postal arrangements and the present financial condition of our Province, that, according to recent returns, it appears there is a deficiency of some \$8,000,000 in the United States Post Office Department, and this, too, in a country where the means of communication are so perfect. Our Department could compare favorably with this. At one time he thought that our Post Office could not sustain itself at the present rate of postage, but he was happy to find himself disappointed. He would now read the resolution which, he hoped, would be passed unanimously, but, before doing so, he must confess the pleasure it gave him, and he was sure every member in the House, to know that we were to receive a visit from the Prince of Wales during the present year. (Hear, hear). It was well known what a good Queen we had, and although we were denied the pleasure of receiving her, yet everyone would join in giving her son, His Royal Highness, a fitting welcome. Before concluding, he might remark that all the great questions which had vexed the Province for many years had happily been disposed of, and at present there were none to distract the attention of hon. gentlemen from the business of legislation, before them, which he hoped would be disposed of, and the members allowed to return home in seasonable time.

Hon. Mr. LATERRIERE seconded the Address in a brief and eloquent speech.

Hon. Mr. DESLAQUIERE, in rising to make a few remarks on the resolution before the House, observed that nothing could be more welcome than the cordial expressions contained in the despatch from Her Majesty announcing her intention of sending out her eldest son, the heir apparent, to visit us; and he was sure that the visit would prove in every way a satisfactory one.

Adverting for a moment to the other matters of the resolution, he must say that he never knew a government do so much good for the Province during a recess as the present government had done. He had watched the government closely and he took their present achievement as an earnest of what was to come. He said this much because it was due to the Executive government for what they had done, and he hoped and trusted that the legislature would second the effort so ably begun, for it would require the unanimous support of the House to enable the government to carry out those steps. He had never been what was termed a party man; and he trusted that partizan feelings would give way altogether on this occasion, and that every honorable gentleman could feel that the time had arrived when party feeling must be forgotten for the good of the country, (hear, hear.)

Hon. Col. PRINCE did not intend to speak until some hon. gentleman had spoken adversely to the resolution, when it had been his intention to have spoken a few words in reply; but as it was apparent from the demeanour of the House that no honorable gentleman intended to make any objection to the address, he would change his intention so far as to make a few remarks at present. He had heard no objections to the speech from the throne, it was true, but he could not help thinking that at least in one point hon. gentlemen had been too sanguine, and that was in thinking that after the recent calamitous occurrence the Imperial Government would ever trust the second hope of England to the murderous fury of the Atlantic waves. For his part he trusted to see the Sailor Boy one day out here; and he hoped that at no distant day the second blood Prince would be reigning in Canada. With respect to the consolidation of the statutes, he must take the present opportunity of paying a tribute of respect to the memory of the late Chief Justice Macaulay, through whose instrumentality mainly these works had been brought to their present efficient state. He (Col. Prince) was a member of the bar for twenty years, and throughout that period he had known him the same talented, honorable and upright gentleman, whom, to borrow from an eloquent author, it would be as hard to cause to commit an unworthy action as it would be to make the sun depart from his course. With regard to the proposed regulation relating to the Crown Lands, he advised the Commissioner, as he had often done before, to limit time for the old soldiers putting in their claims for land allowance to two years, in order that the claims might be closed.

Hon. Mr. ALEXANDER would advance his views with a great deal of diffidence; he felt the great responsibility that rested on himself individually, and on the Government, and perhaps it was this feeling that caused it to be said of him, as it had been, that he took a very gloomy view of the affairs of the Province. At the present moment, the minds of men were in an unsettled state, and it was only by restoring peace and

confidence to the public mind that hon. gentlemen could ever hope to see the Province in the same flourishing condition that it had been. By going contrary to the opinions of the people, discontent would be engendered, and a large stream of population directed from the country. Hon. gentlemen should not be too sanguine.—There was such a thing as a young country being too prodigal of its resources. The past would teach a lesson for the present. The crisis of 1854 and 1855, which was felt so severely all over the country, except in the Eastern Provinces, had prostrated the energies of the country, and from the effects of this prostration she had not rallied in the same manner as she ought to have done. Houses in cities were yet unlet; property was unsaleable, and there were also other unmistakable symptoms to show that the effects of the depression yet existed. We ought to husband our resources. The evils that were past he would not now allude to, hoping that a new era was dawning upon us. We were not at the present moment a rich people, and Hon. Gentlemen knew that all the unnecessary expenses of the country were draining the resources of the Province, and taking away the prospect of our establishing manufactories in our midst. He had one word to say with regard to the customs' duties. They should be reduced. They had been done away with in England, why not follow the practice here? One of the great sources of our distress was the way in which the State managed our affairs. When Upper Canada got a loan, Lower Canada must have an equal amount, and so on. This was a most hurtful system, and demanded an immediate remedy. He felt it his duty to warn the Government that a great deal of discontent existed at the present state of affairs,—at least in the place where he came from, and a strong feeling was manifested there for a dissolution of the Union. But he hoped that Hon. Gentlemen would combine and bring back again a healthy state of feeling to the country. In conclusion he would give the Government credit for what they had done, and express a hope that they would be successful in bringing about once more a happy state of things for the Province. (Hear, hear.)

Hon. Mr. CHRISTIE was far from coinciding in the great laudations bestowed upon the Government by some of the hon. Members who had preceded him, which he thought undeserved. He did not however intend to move any amendment to the Resolutions but he would say that so far from meriting praise he held the conduct of the Ministry to have been extremely discreditable. The hon. Member who had preceded him had alluded to the general discontent that existed throughout the country, which he (Christie) knew to be the case, and so far from the dissatisfaction having been at all mitigated during the recess, he was sure it had greatly increased. For himself he desired most energetically to record his protest against the acts of the Administration, for which they seemed to think they deserved so great praise.

Hon. Mr. FERRIE was of a similar opinion, but he believed that their financial scheme so far

from being meritorious would be attended with most fatal results to the Province.

Hon. Mr. DEBLAQUIERE had hoped the hon. Commissioner of Crown Lands would have made arrangements by which persons in Upper Canada having business to transact with his Department would have been able to do so in Toronto instead of being placed under the cruel necessity of coming down to Quebec at great expense of time and money. By far the largest part of the Crown Lands business was originated in Upper Canada, and he thought the convenience of that section of the Province, would have been consulted if this arrangement had been made.

Hon. Mr. VANKOUGHNET in reply, stated that he had given to this very subject, his most attentive and anxious consideration; but after weighing it in all its bearings, he had come to the conclusion that a branch of the Department in Toronto, would not facilitate the object the hon. gentleman had in view. Instead of effecting a saving of money and time, there would have been a loss of both, for in most, if not in all cases, it would have been necessary to refer matters to him, and he did not feel he could entrust the responsibility that devolves upon him in this relation to other hands with that perfect safety which was desirable. The gentlemen in his office had evidenced the greatest zeal and intelligence in the discharge of their duties; yet he could not see that any one of them should have been charged with duties the onus of which he himself had assumed, and for the proper discharge of which, he, in fact, was alone accountable. No one would have been more pleased than himself if such an arrangement could have been effected, for it would have saved him a good deal of harassing labour, but in the interests of all concerned he had been obliged to conclude that it could not be done.

The several Resolutions were then read *seriatim*, and adopted.

Hon. Mr. VANKOUGHNET moved that Hon. Messrs. BOLTON, DE LATRAIERE, and himself, be a Committee to prepare an Address, founded upon the Resolutions. Carried.

The House then adjourned during pleasure, and in a short time the Committee returned with the Address, which was adopted, and ordered to be engrossed, and presented to His Excellency, by the members of the Government sitting in the House.

The Hon. the SPEAKER then laid on the table a Report on the state of the Library, also a Report on Expiring Laws.

Hon. Mr. DEBLAQUIERE gave notice of a motion for correspondence with the Imperial Government relating to the Subsidies granted to Ocean Steamers, and another notice for correspondence on the subject of the Canadian Line.

Hon. Mr. VANKOUGHNET introduced a Bill relating to the administration of Crown Lands. Second reading on Wednesday next.

On motion of Hon. JOHN ROSS, it was Ordered that during the Session the House should

rise at 6 o'clock, and meet again at half-past 7 o'clock.

The House then adjourned.

HOUSE OF ASSEMBLY

Quebec, Wednesday, Feb. 29, 1860.

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

THE LIBRARY.

Mr. SPEAKER presented the report of the Librarian, for the past year.

THE ADDRESS IN REPLY TO HIS EXCELLENCY'S SPEECH.

Order.—Consideration of His Excellency's Speech at the opening of the Session, with a view to the adoption of an Humble Address to His Excellency in answer thereto.

Mr. DESAULNIERS said that he had consented to move the Address in answer to the Speech from the Throne, because the selection of himself to do so conferred an honor on the district of Three Rivers, of which he was a member. It was an honor which had not been done to his district for a long time. It was always difficult to speak before a numerous and intelligent assembly, but it was more difficult, for him owing to his want of practice in the art, and owing to his being called on to do so in a town that expected, by right, better speeches than he could make. However, passing over his demerits, he thought it his duty to accept as member for a County in the District of Three-Rivers. But before proceeding any further, he found it his duty to explain his position. Every one knew his political opinions, and knew too, to what party he belonged; but he wished to avail himself of this occasion to declare his views publicly and openly. If he had followed the Liberal Conservative party, it was because he thought it the only party that could administer affairs for the good of the Country. It was the only party that deserved his confidence, and it was his (Mr. Desaulniers) intention to continue to act along with it. It had been said that it was his intention to join the Rouge party, amongst whom he had intimate and respected friends. But he had never hesitated between the two parties; his choice had never been doubtful. He thought now, as he had always thought, that the Rouges were unfit to manage the public affairs, and if they should be called to power, the Province would run great risks. He had never liked the discussions carried on in their papers. He did not like to see the Government accused of corruption at all times, and often without reason. That the Rouge papers should say that the Rouges alone were honest and alone doing good, was simply absurd. Another reason that had induced him to leave that party, was its union with the honorable member for Toronto (Hon. Mr. Brown). This alliance was made against the wishes and against the interest of Lower Canada. The election of the Hon. Solic-

tor General East (Hon. Mr. Morin) in the very heart of the Rouge party, was a striking proof that this alliance was disavowed by Lower Canada. He did not think that French Canadians, having the interest of their country at heart, could remain the friends of a man that had insulted them so much and accused them every day in the most unjust manner. Those that cared about their nationality could no longer be the friends of a man who had said in his paper, speaking of the pretended domination of Lower over Upper Canada, "Is it possible that Anglo-Saxons will be ruled over by a degenerate nation which their priests govern like flocks of sheep? Show your strength and humiliate this nation." He did not think that any party could remain united to a man like Mr. Brown, for it would show a want of patriotism and national pride. He repeated, that he desired to follow the Liberal Conservative party, and that by conviction. He would now pass to the Address. He did not believe that any one could say, as it had often been said, that the speech from the Throne contained nothing, and meant no more; that it was of so little importance that it did not deserve the honor of discussion. He found in this address a great amount of important things, and if he had the capacity required, there would be matters for a speech of many hours; for this Address contained a relation of past events, and hopes for the future that ought to rejoice them. It was found in the beginning that the Address of the two Houses had been presented to the Queen, and that it was most graciously received by our Sovereign. Her Majesty was so well pleased with it, that she deigned to receive the bearers of the Address before any one that day. And he (Mr. Desaulniers) was happy to say that Her Majesty had most graciously received Mr. Speaker, who was charged with their delivery. The sentiments expressed by the Queen on this occasion should rejoice all the friends of the country. We had also to rejoice at the success obtained by the Hon. Postmaster-General. He (the Hon. Postmaster-General) had concluded arrangements by which the European mails, and even the United States mails, could be carried by the Canadian line of steamers. These arrangements would have the result of extending the fame of our country throughout Europe, and encouraging emigration towards our wild lands, besides the advantages that the Canadian line would derive therefrom. The unfortunate catastrophe of one of the steamers should not discourage us, sad though it was, and ought not to prevent the Government from continuing its aid to the Company. This line proved that, however young it might be, Canada would be made a grand country by the energy of its inhabitants, who had made her the finest part of the British dominions in North America. Another paragraph of the Address spoke of the Municipal Laws for Lower Canada, and he was happy to notice that the Government would go to work actively for their renewal and consolidation, as they were now a labyrinth where the most intelligent were at a loss. The

House would hear with pleasure that the Hon. Attorney General proposed to fulfil his promise of last session to come forward with a measure of this kind. The Municipal Law as it stood was so confused as to prevent its application, but he hoped that Government would succeed in introducing one that would satisfy the rural population of Lower Canada. (Hear, hear.) The speech mentioned also the necessity of a law for regulating the transactions between Debtor and Creditor; but as he (Mr. Desaulniers) was not a commercial man, he would leave it to some one else to look into that subject. Another measure of no less importance was a law to regulate the management of the Crown Lands. A great difficulty existed in the out of door management of Crown Lands,—that was, of those that were not under the immediate care of that department. This interfered to a great extent with the settlement of our public domain. He was happy to see that the Government was disposed to look into the matter at once, for it was an important one to Lower Canada. The monopoly of the lands had forced the young men of this part of the Province to employ elsewhere their energy and labor, since they could not settle on the soil of the Province. He lived in a County where great difficulties had to be overcome in settling wild lands, but he hoped they would never present themselves again, owing to the energetic action of the Government. He spoke of an individual who had taken possession of all the lands of the St. Maurice under the pretence that they were of no value; but since His Excellency and some of his Ministers had been up that River, the Government had become well aware of their inestimable value and this abuse had ceased. He hoped that by the measure that would be proposed, colonisation would be rendered easier and monopoly impossible. The importance of the St. Maurice had been taken notice of for several years, and settlement had been encouraged in its valley. In the county of St. Maurice only, no less than eight townships had been surveyed, and three large parishes had been settled, in which we now saw Churches and Ministers of religion. A proof that these townships are in a flourishing state, was that the settlers had been able to pay into the hands of the local agent over \$2000, and this at the first call. Still, many young men looked for settlements, and he hoped that, after the report of the agent, the Government would get two new townships settled, especially, if it were taken into consideration that the St. Maurice was of a greater importance than the Ottawa itself. He hoped that the reduction of the price of lands, begun at his request and that of the Member for Champlain, would be extended to the whole Crown Lands, Public expenses had always been a favourite theme of the Members of the Opposition. They always talked loudly of corruption and money wasted; but he did not believe a word of all they said, Far from it. He thought Government had made all possible efforts to reduce expenses during the past year, and he was happy to hear they proposed to continue in

the same way. It was true that the expenses had been heavy for a few years, but in return we had immense public works, which would be the pride of more advanced Countries. The Governmental expenses were comparatively light. During the performance of the works mentioned, the expenses were necessarily increased, but the vigilance of Government had always prevented waste, and they had been honest enough to keep from corruption. It was but right that the people should pay a light tax to meet the expenses of works done for their direct advantage. The electors understood this perfectly, when the thing was properly explained to them. They knew well that the Public Debt was not created by waste and corruption. He was also happy that the Hon. Minister of Finance had succeeded in his mission, although the details were not known as yet. We could hardly expect such a result, but if we judged by the offers of the English capitalists, our credit in England was still excellent. The transactions of the Hon. Minister were a convincing proof that we were far from bankruptcy, as the opponents of the Ministry were saying every day. Many persons, and even the avowed opponents of the Government, admitted that these negotiations had established the financial reputation of the Hon. Minister, and they proved, also, that the cries of bankruptcy were a calumny. Another paragraph that he would refer to was the one relating to the intended visit of the Prince of Wales. This ought to be the cause of great rejoicing to us, for it was a long time since a Prince of the Royal Family had visited Canada. If the Royal Visitor were duly received, it might be a great benefit to Canada. His impressions would be strongly printed on his mind, and, if good, they might influence his action towards us when he would have replaced our actual Sovereign. He hoped that he would be received with right Royal honours, especially as the visit would coincide with the inauguration of the Victoria Bridge, and that the town of Montreal, which knew how to do things, would be charged with giving him a grand reception. He would finish by moving the answer to His Excellency's speech.

Mr. SIMPSON rose to second the Address. He said: Mr. Speaker:—In rising to second the motion of the hon. member for Saint Maurice, I have the satisfaction of feeling that my task is a light one. The speech with which His Excellency yesterday opened the proceedings of the present Session, is a model for state documents of the kind. Like a Glengarry salutation, it is all point. It has, too, the great merit of being brief, clear, grammatical and logical. It does not deal with a large variety of topics, but those adverted to have an influential bearing upon the public interests, and all are treated in such a manner that even hostile criticism has no room for cavil. First in order, as in social and political consequence, the Governor General adverts to the approaching visit of His Royal Highness the Prince of Wales. Sir, we may regret, and no doubt the whole continent does regret, that even your persuasive accents could not convince the Queen of the advisability of herself visiting Her

loyal Canadian people, but I am sure every man amongst us loves and reverences the Royal person too deeply to find fault because Her Majesty will not expose herself to the inconveniences and perils of so long a voyage. The great distinction with which you, sir, were received, and the gracious manner in which our illustrious Sovereign has acceded to the wishes of Her Canadian Parliament in promising to send us as Her Representative, the Heir to Her Throne, adds another to the many strong ties which bind us to Her service; and will stimulate the Government, the Legislature and the People of Canada, to receive the Royal Visitor in a manner befitting the high promise held out by his personal qualities, the lofty station he now fills, and in the course of nature is destined to reach, and the ardent hopes and fervent prayers of which he is the object throughout every part of the great British Empire. Sir, I trust that, if possible, the Legislature in Session will receive our future Sovereign, for it is, I believe, the first time that a colony has had such an honor conferred upon it. The next important subject adverted to, includes the various postal arrangements effected with European States through the energetic action of the Honorable the Postmaster General. Into the details of these arrangements it is not my province at present to enter. Party feeling may sneer at their influence and underrate their value, but candid men not merely see in them a proof of the earnest zeal and eminent success with which the Postmaster General executes the duties of his office, but from this very success they gather indications that we are fast realizing the objects for which our public works were constructed, and that steady perseverance in the same policy will in the end render these works remunerative. Mr. Speaker, one cannot advert to these postal arrangements without recalling the fearful calamity which last week sent a thrill of horror through the length and breadth of our land, and filled with intensest sorrow a great number of Canadian hearts and Canadian homes. One of the finest vessels that floated on the ocean wave, commanded by a seaman in whose experience, judgment and attention to duty the public reposed unlimited confidence, freighted with a cargo valued at many hundreds of thousands of dollars, with mails of incalculable value, and with many of our fellow subjects, precious to some of us, dear to us all, disappeared beneath the dark waters of the Atlantic, and it is probable that we shall forever remain ignorant of the cause, for there does not seem to be a single survivor to relate the sad story. Sir, if there has been a fault anywhere, through the desire of the day to make a rapid passage, how fearful a responsibility has been incurred. For what signifies the gain of an hour in the twelve, when weighed against even the chance of such a terrible loss of life and treasure? But, Mr. Speaker, whilst every precaution which human wisdom can suggest, must be adopted to prevent the recurrence of calamities like this, we must not relax our efforts in the great work of improvement. Whilst sorrow and misfortune teach us prudence,

let them also incite us to increase our exertions and activity. The settlement of the Boundary Line will finally dispose of another of those irritating questions which it is the pride of the present Government to have taken out of the arena of discussion, and the consolidation of the Municipal Law of Lower Canada and of the Statutes at large places the Government and the Legislature on the vantage ground which it was the great object of the Union to provide for them,—namely, a position from which they can work advantageously for a gradual and safe and satisfactory assimilation of the laws of Upper and Lower Canada, so that, in no long time, we may hope to see the whole country, from Essex to Gaspé, governed by the same code. The country will be delighted to see the recommendation of His Excellency as to further legislation on the relations between debtor and creditor. So far as Upper Canada is concerned, as regards the interests of both creditors and debtors, the laws now in force operate injuriously and unjustly, and amendments are imperatively called for. In truth, Sir, the great want felt by Upper Canada at this time is social and institutional, not political legislation, and I am glad to see the Government manfully grappling with the most important and the most complicated of these social questions, and feel sure the House will render all the assistance in its power to settle it by equitable and comprehensive legislation. After the lamentable experience we have had during the recess in the cases of the International and Colonial Banks, there can be no doubt that the system of Banking requires early and serious consideration, and that it is our duty to prevent further mischief of the like kind, by expunging from the Statute Book certain charters of a nature similar to those of the concerns, to which I have just adverted. The Financial condition of the Province, including the Consolidation of the Public Debt, embraces too great a variety of topics to be entered upon in connexion with other subjects, and I shall but briefly advert to it now, seeing that the Honorable Member for Toronto is preparing to furnish us with a grand field day thereupon. I must say, however, that to the Minister who framed, and to the Members of the Legislature who supported the changes made in the Tariff last Session, it must be exceedingly gratifying to know that the results aimed at have been produced,—namely, the improvement of the Revenue and the application of a stimulus to Manufacturing Industry from which highly beneficial results may be anticipated. With regard to the Consolidation of the Debt, I shall content myself with a very brief reference. The Finance Minister deserves and meets with the thanks of the community for the success which has attended his efforts thus far, because this success is to a great extent attributable to the admirable judgment he displayed in selecting the time for opening his scheme on the London Market, and to the lucid and comprehensive manner in which he explained its details. There are but two essentials needed for a due appreciation of the action of the Honorable Gen-

tleman, first, brains to comprehend its bearings; second, candour to admit its results. Neither the framers nor the supporters of the Consolidation Scheme, ever supposed that the Finance Minister could so blind or bamboozle the holders of the Provincial Debt that they would accept a five per cent security for a six per cent security, unless the capital represented was fairly proportioned, in a case when the Province of Canada was the Debtor. The London Stock Exchange people are somewhat proverbial for their capacity in calculating values, and in a matter resolvable by plain figures. The least probable thing in the world was that they would allow themselves to be "chiselled" by us, 'cute as we think ourselves. But the great object sought for through Consolidation was to place the Debt of the Province in such a shape that it could be easily managed—to free us from the continually recurring difficulty of having more to pay annually than the Revenue would meet—and if in accomplishing this, the Finance Minister had suffered a loss, instead of effecting a saving, as he has done, I for one, should have said that he acted prudently and for the country's interest, and that he certainly entitled himself to the fervent thanks of all future Chancellors of the Exchequer in particular. I must say, however, that the Honorable Gentleman, when in London, did not seize one opportunity of immortalizing himself. If, when he was offered some twenty millions more than he needed for Provincial use, he had chanced to remember that there are many debts in the Province as well as of the Province, that greatly stand in need of consolidation, and had brought over with him the snug little sum I have mentioned for that particular purpose, he would have been by far the most popular man that ever appeared in Canada, and might, by universal suffrage, have installed himself perpetual dictator of Canadian Finance. All must feel gratified in believing that the Government is thoroughly impressed with the necessity of practising, through all departments and branches of the Public Service, such strict economy as is consistent with efficiency and with a proper regard to existing interests. That His Excellency makes use of a merely formal expression, was attested last session by the readiness with which the Government adopted the recommendation of a committee for reducing the printing expenditure. In the same spirit, Sir, let the Legislature and the Government act in unison. There is a necessity for all the economy they can jointly originate and practise. Providence last year was merciful, and abundant crops in many places rejoiced the hearts of the husbandmen. But many sections of Upper Canada are still suffering deeply. A disease beyond the powers of Government and Legislature first ruined the crops, and then Usury and Law Costs eat up the products of the industry of former years. One of our constituencies, measuring in territory not more than eight miles square, is, on a careful estimate, poorer to-day than it was five years ago, by more than half a million of dollars, and a

similar diminution in value has been going on among many other of the Upper Canada constituencies. I am happy to believe that a change has commenced, but the suffering is great and the healing process slow. The people look to us to render their own strenuous efforts every aid which legislation can yield, and we shall betray our trust if their hopes are disappointed. Mr. Speaker, I might advert to other topics, but the "joint authority" of custom and duty prevent me from travelling out of the record, and therefore, I conclude by heartily seconding the motion of the hon. member for St. Maurice.

Hon. Mr. THIBAUDEAU said he did not intend to speak, but after what had fallen from the hon. member for St. Maurice, he could not do otherwise than say a few words. He rose only to express his regret that the hon. member did not communicate what he was to say before the House, to his friends and principally to him (Mr. T.) with the convincing reasons that decided him to move the Address, for the speech he (hon. member for St. Maurice) had made, was a most eloquent and complete refutation of his political career during the last few years. In this speech he had approved the doings of the Government since they were called to power, although there was a great number of measures of this government against which the hon. member voted more than once. The hon. member had discovered His Excellency's speech matter to speak for himself. Still, the Ministerial papers did their best to publish through the country that the speech contained nothing, and that it was following in that respect the proceedings of the British Government. The confidence the hon. member entertained in the Government is such as to make us believe that the present ministry would introduce us into the very best of world's possible. He (Mr. T.) did not doubt in the least that the hon. member was in earnest, and he thought that had he communicated his convictions he (Mr. T.) would also have been converted. By looking over the Journal of the Assembly it was to be seen that the hon. member had, during four years, given about a dozen of votes of non-confidence in the Administration. For instance, when the hon. member for Toronto was taken from the Committee on Public Accounts, and the Administration said that they would consider the vote on this occasion as a vote of confidence or non-confidence, the hon. member (Mr. Desaulniers) voted against them, and of course voted non-confidence. It was the case on the Seat of Government question, That question the honorable member did not mention any more than his Excellency. He (Mr. T.) remembered also that the hon. member did not approve of the acts of the Government in this affair, and that he contributed to vote them down. How it was that after all these, votes and many others, the hon. member approved all that had been done by the Administration and declared himself a supporter of all they proposed to do? The mover had also been very severe in his remarks concerning the Rouge party. If any one differed from the Government, it seemed he

was to be set down as a member of the Great and Terrible Rouge party. (Hear.) He (Mr. T.) was not Rouge; he was a Conservative, and he thought the present Administration had left the line of conduct which became the Conservative party. But the hon. member had gone further, and said one must be a poor patriot to associate himself with the present Ministry—that was to announce a policy of "Men," not a policy of "Measures." (Hear.) He (Mr. Thibaudeau) had never made a factious opposition to the Ministry. His was an opposition of principle, and he intended to carry it on with all the energy possible. It had been sought to make the Lower Canadian Opposition responsible for the Articles which had appeared in the *Globe*. Many of these Articles he regretted to have seen—many of them never ought to have been written—he repudiated most of them, as well as many of those in Ministerial papers, which, indeed, has been as full of insults against Lower Canadian Institutions and the Lower Canadian Clergy, as ever the *Globe* had. (Hear.) He, however, cared not for his friend, the mover of the Address, for the ingenuity with which he had defended the ministerial position. He had spoken of the satisfaction with which the people viewed the enormous debt under which we labored—created, as he said it was, for great and useful Public Works. However, his friend had voted against the bills by which they were called into being (Hear, hear) so that if the Country was satisfied he was indeed content, it showed that he had not listened to the voice of his hon. friend, (Hear.) And to show the futility of the assertion that the Ministry were supported by the voice of the Country, he would only point to the election of the Member for North York, the Mayor of Toronto, and to the election in Terrebonne. Where a man who had been previously elected by acclamation had been forced to contest his seat most severely, and to carry it, if rumor spoke true, by the most reckless corruption. Morally speaking, the latter election was a defeat. Again, allusion had been made to the economical administration of the departments. He had heard much about it, but if the Press were to be believed, great additional expense had been incurred. Then colonization had been spoken of. He would not refuse to the present ministry the credit of having such articles—he was a French Canadian and a Roman Catholic; and he had never permitted any one to attack our religious institutions without defending them as he would always do. The mover of the address should have remembered that several Members of the Government, for instance, the hon. Post Master General, had been as full of insults against the Lower Canadians as any Member of the House. (Hear.) He (Mr. Thibaudeau) must say a word or two about the position of Upper and Lower Canada towards each other. If the present agitation were to be continued—and put on the footing of "war between Upper and Lower Canada"—in that case it would be the duty of every Lower Canadian to rally around the majority from Lower Canada.

(Hear.) He would be the last to wish to see an injustice done to Upper or Lower Canada by the other, and what he spoke of might be the only way to prevent it. He hoped, however, that such was not the real position; that the case had been over-stated; and that there would be a pause before bringing matters to such a pass. Did Lower Canadians demand any privileges which they were not willing to accord to others? No! Did they require more liberty than they were willing to give? No! Where, then, need there be fault found with them? He must next compliment his hon. friends for having done something in this respect, but they ought to have voted three or four times as much, and he felt convinced that if they did so—if they gave \$400,000 for purposes of colonization—the population would double itself in ten years. He pointed out several places in which the Government ought to build roads and bridges, when they would keep hundreds of people from emigrating. If only as many millions were spent on works of colonization as were spent on railways, &c., the country would profit by it. (Hear.) He must seize the present occasion for saying that the Government had given the best consideration to the suggestions he had made respecting improvements in Portneuf, and while saying this it would be remarked that, in opposing the Government, he did not do so from motives of disappointment, but on general principles. (Hear.) He would now come to the Address, but he would say little about it, for he thought it contained nothing, except the notice of the Prince of Wales' visit, at which all were glad. There was a paragraph about the Municipal Law. That was a subject of great consequence, and in dealing with it he trusted there would be no party feeling shown, for it ought to be made as perfect as the united efforts of all could succeed in doing. As to the Financial operations, we must have information before we could praise or condemn them.

Mr. TURCOTTE said the hon. gentleman had said that he would not oppose the great majority of Upper Canadians in a certain case, but he seemed not to have the same consideration for the people of his own section of the Province. Let him look at the deeds of the Administration. Had it not passed, quietly, the greatest legislative measures ever carried in any country, and settled the Feudal Tenure business without effusion of blood? From that time many Lower Canadians, previously hostile, had united themselves to the Government. On the other hand, the leader of the Opposition had shown himself the determined enemy of Institutions which he did not understand, and of people whom he knew nothing of. (Hear.) The member for Portneuf had not been able to vote against the measures establishing the Grand Trunk and instituting reforms, all measures of the present Government. Yet he found fault with them. It was, indeed, a source of pride to see that the country, however thinly populated, could hold up its head among the nations—

succeed in doing what the United States could not do—and that its credit, instead of being as low as the Brown-Dorion Ministry, to which the hon. member had belonged—had asserted—was as good as that of almost any European nation. (Hear.) He supposed, however, that the hon. member for Portneuf would not deny that he would support the hon. member for Toronto in forming another Ministry. He defied him to deny it.

Hon. Mr. BROWN remarked that he had been prepared on the previous evening to proceed with the debate on the speech from the Throne. He considered it a waste of time to prolong discussion on such a document. It had been terminated by the hon. member from Niagara a "model speech." If that were true, then a model speech from the Throne must be one which contained as few ideas as possible in as many words as possible. There had been a time when the hon. gentlemen on the benches opposite had some measures to offer, and something like a policy, but he defied them to get up now and name a single measure they had offered to the country. The subjects the hon. gentlemen opposite desired to call the attention of members to, were simply these:—Postal Arrangements, the Boundary-line between the Canadas, the Municipal Laws of Lower Canada, the Consolidation of Her Statutes, and the administration of the Crown Lands. There was not one other subject. These were the whole of the subjects, upon which they were told there was to be legislation. On the subject of Debtor and Creditor, the language used was really amusing—that we should not fail to give our attention to the "expediency" of considering that law. There was a demand for a Bankrupt bill, and they were merely asked to consider the "expediency" of it. He doubted if the hon. gentlemen had a policy even upon this question. They admitted what had been said on the subject, and that it was most desirable such a bill should be passed. Yet they merely invited attention to the expediency of its consideration. He had been rather amused at the laudation the Postmaster General had received from the member for Niagara. It might really be supposed that the whole commerce of Europe was soon to flow into our country; while, in fact, only perhaps half-a-dozen mail-bags were to pass over our lakes once a week. But he was, nevertheless, prepared to give the Postmaster General full credit for all he had accomplished, and the hon. gentleman from Niagara, certainly need have no fear that any feelings of partizanship would prevent the Opposition party from doing full justice to the Administration. He was happy to hear that the Government had "received suggestions from many sources with reference to the measure introduced last Session for the Consolidation of the Municipal Law of Lower Canada." They could not prepare a Bill themselves and so had been gathering suggestions in the country. He did not think they ought to be asked to rejoice at that; it was those who had received the suggestions who had cause to rejoice. It would

be cause for rejoicing if they presented a good Bill. They received with pleasure His Excellency's congratulations on the issue of the Consolidated Statutes of Canada. He supposed the congratulation was on the very neat manner in which the books were bound and on their being packed in strong boxes and sent over the country. They rejoiced, at the opening of the last Session, that the work had been begun; the rejoiced again at the close of the Session that it had been finished; and now were called upon to rejoice once more over the binding of the books and the packing of the boxes. If the hon. gentleman would only send for the Governor of Barbadoes, to give them a policy, or one decent measure to call their own, he thought, if properly appealed to, he would certainly come to their rescue. They were asked to give their best attention to the expediency of considering the Law of Debtor and Creditor. It was extraordinary that that was the only clause in which they were asked to do any practical legislation; it was the only one that gave satisfaction or caused rejoicing. It was a very wise policy to ask them to consider only the "expediency." If the hon. gentlemen should find any difficult questions come up, how easy it would be to drop them and consider only their "expediency." He thought that the Attorney General West, with his large experience, was surely competent to prepare a Bill and offer it for the adoption of the House. That was the method adopted in England, and they had a right to expect it here. He agreed with His Excellency, that their present system of banking was worthy of early and serious consideration, and he hoped they would keep in mind the point he (Mr. Brown) had insisted upon, that no Charter be granted until *bona fide* proof had been given that there was money to go on with the scheme, and that the Charter was not obtained for the purpose of being sold. It was said that a measure would be laid before them for the purpose of facilitating the administration of the Crown Lands. This had been done in 1856 and was renewed now in 1860. Four years had passed and they were without it yet. It was a measure of importance, and it was to be hoped that when the unfortunate bill did come it would receive their most earnest attention. They would receive with pleasure any papers that might be laid before them by the Minister of Finance, with regard to the consolidation of the Public Debt, for at present they were quite in the dark on that subject. Hon. gentleman had lauded the scheme, and one had told them that the country owed a deep debt of gratitude to the Minister of Finance, but at the same time they knew nothing of what they had done; but he should be the first to return his hearty thanks to the hon. gentleman if he could show his scheme to be worthy of approbation. They were rejoiced to be assured of His Excellency's conviction that the depression under which they had labored had not diminished their credit, but had forcibly impressed upon him and his advisers the necessity of a strict and rigid economy. That was very well, but there were some por-

tions of this country where it was considered doubtful whether it was expedient to run into any more schemes for borrowing money, and thought that it would be well if they had not such free access to the money-market. There could be no doubt that the gratification to be experienced concerning the offer of two millions of which they had heard so much would depend on the character and conditions of the loan. In the meantime he would take it for granted that His Excellency was correct and let the matter pass, hoping that when the subject came up the Finance Minister would take an early opportunity of offering explanations to the House. He thanked His Excellency for the assurance that the accounts should be placed in their hands with as little delay as possible, and for his prayer that their returning prosperity might continue to increase. He apprehended that was the pith of the speech and that he had named the only points the Opposition were called upon to express an opinion on. He, for his part, was not prepared to say with his Excellency that "but few subjects" of an important character remained to be dealt with. He thought there were a great many subjects, and before the session was much older they would have an opportunity of bringing some of those subjects before the House. Any phasology of the address which they might desire changed could readily be passed over, and they would reserve themselves upon those points for a full discussion there after. They felt that the subjects named in the speech were not such as to demand attention, and he should not raise a discussion upon those subjects and then bring them up for debate afterwards. They therefore came to the conclusion, though an unusual thing in Canada, to allow the address to pass, at the same time giving notice to Hon. Gentlemen opposite that if they did not know what subjects required to be legislated upon the Opposition would show them that they knew of some things for their consideration. The most remarkable feature of the speech was that it contained nothing, and the next remarkable thing was how much had been omitted. The hon. gentlemen had no measure of their own; all the measures they ever brought up were inherited from the Hincks Administration. They had one measure, however, and he was surprised that they should have thrown it overboard as soon, for it was of much importance to the Country and must be considered. Gentlemen had expressed strong views on questions relating to the differences between Upper and Lower Canada. They had had three speeches, mainly directed against himself, in a language he but partially understood and listened to with difficulty. They had been attacking him, and it was an absurdity for him to get up and answer them in a language they could not understand. And why did the Hon. gentlemen from St. Maurice single him out in that way? Did he not know that he (Brown) stood supported by a majority of the people of Upper Canada, and that he represented the views of the great mass of the people in that part of the country he was sent from, though perhaps

actuated by stronger principles than they? And yet they were told that these gentlemen approved the Administration simply because the member from Upper Canada was present and he did not approve of agreeing with him! Was there anything more contemptible than a party living upon such views. They should drop such things and come down to common reason. He hoped when the discussion came on all would be prepared to consider the difficulties of the country in a proper manner. The subject could not be any longer delayed. He apologised for having spoken with so much warmth and should regret of anything he had said excited feelings other than amicable. In reference to the last clause of the Address, he (Mr. Brown,) could only say that, much as they might regret the inability of Her Majesty the Queen to visit this Province in person, he was sure there was not a person in Upper Canada who would not give to His Royal Highness the Prince of Wales, our future Sovereign, such a reception as he was in every way entitled to receive.

Mr. Attorney General CARTIER said the Honorable Member for Toronto had discussed the Address in a tone so amiable—he had provoked such an amount not of ire, but of good humour—that he (Mr. Attorney General Cartier) would not occupy the time of the House in following the honorable gentleman through his speech. He would only say in reference to the Government, that, when the proper time arrived, he would be able to show that, during the five years that they had been in office, they had initiated and passed more important measures than had ever been introduced and carried in the same time before. He might not be able to convince the hon. gentleman of the fact, but from the good humour manifested by the honorable gentleman he did not despair of doing so. He (Mr. Attorney General Cartier,) did not know whether it was the desire of any of the honorable gentleman to address the House on the present occasion. But believing that the desire was general to close the debate, he would reserve till another occasion the discussion of the general subjects referred to by the honorable gentleman.

Mr. SPEAKER put the question on the first clause of the address.

Mr. McGEE said he did not intend to speak and should not have spoken had it not been the impression on many minds that the first paragraph of the address should not go to the public without an expression of opinion from honorable gentlemen generally. That paragraph, as they were all aware, had reference to the visit to Canada of His Royal Highness the Prince of Wales. It would be in the recollection of Mr. Speaker—for no one had been more concerned in bringing about this desirable result than himself—that the address of both Houses was agreed to with great unanimity on all sides. Therefore, what he would desire to express now—he did not know whether hon. gentlemen on his side of the House would agree with him—was that, if His Royal Highness the Prince of Wales should, by the command of

Her Majesty and under the advice of her constitutional advisers, visit Canada, it was highly desirable that he should be received by all classes of Her Majesty's subjects with invariable good will—not, he would say, with perfunctory kindness, but with hearty good-will. In the Imperial point of view, the object of His Royal Highness's visit was, no doubt, to increase the good feelings existing between this colony and the mother country; and, also, to impress the people of the United States with the value of monarchical institutions. As regarded ourselves, the object of the visit was, no doubt, to make an advertisement. As regarded the Grand Trunk Railway Co., their object was, no doubt, to make money. [Cries of "Oh!"] There was no question about the matter, although honorable gentlemen might cry "Oh!" But, whatever might be their object, the object of Imperial statesmen—the men who looked before and after—was to increase the attachment between Canada and the mother country. Well, that being so, he wished to say, as one of the representatives of the city where His Royal Highness would probably be first and most prominently introduced to the people, that if His Royal Highness was to be chaperoned by a person standing between the people and His Royal Highness, and whom the people thoroughly detested—if His Royal Highness's visit was merely made the instrument for rebuilding the popularity of an unpopular Governor General—it were really better that His Royal Highness should not visit the Province. (Cries of "Shame!")

M. SPEAKER—There must be no allusion to His Excellency the Governor General.

Mr. McGEE—Why, it was His Excellency's speech that was the Order of the Day, and he (Mr. McGee) was speaking to it. (A laugh.) But he would repeat, although the decorum and gravity of the Chair might compel Mr. Speaker to call him to order, he thought it much better that the members of the House should plainly understand that if the future King of England, and future ruler of all Her Majesty's dominions, came here to make political capital for an individual, it were much better that His Royal Highness should not come here. He did not raise this question; but he wished to say that if an unpopular Governor General were to stand between the Prince and the people—if they were to see His Royal Highness made the instrument for whitewashing the double shuffle and the two sets of oaths taken by hon. gentlemen opposite—if, in short, they were to see the visit converted into a political object and a display of flunkeyism, instead of an expression of loyalty to the throne and to the person of the Queen—if they were to see an unpopular Governor General standing between the Prince and the people—then a great deal more mischief than good would be the result.

Mr. SPEAKER—I must again call the hon. gentleman to order, and I do so because he is infringing the 15th rule of this House. I will read the rule to the hon. gentleman. It is, "That no member shall speak disrespectfully of the Queen, or any of the Royal Family, or person adminis-

tering the Government of this Province." (Cries of "Chair.")

Mr. MCGEE said he bowed to the decision of Mr. Speaker. He (Mr. McGee) was sorry to be obliged sometimes to say disrespectful things, but it could not be helped. But he would repeat again, though not in the same language, that if they desired to make the reception of His Royal Highness the Prince of Wales all that could be wished, it must be borne in mind that there was one thing which the people of this Country had not forgotten, and it was very much to be regretted that an accidental state of the Colony should involve so important an affair as the visit of the Heir Apparent. Every body knew it be important and everybody felt it to be important. But if it took place under the present circumstances, so sure as Mr. Speaker sat there and so sure as hon. Gentlemen sat in their seats, the reception would not be all they could desire it to be. But he desired to give timely notice of his own feeling that nothing could be more unfortunate after the crisis of 1858, after the double shuffle, after the double swearing, and after all the perjury and all the crimes which they saw perpetrated.

Mr. SPEAKER.—Order. (Cries of the "Chair.")

Mr. MCGEE.—Well—it should be understood that if His Royal Highness came here under the present circumstances under the advice and protection of the Gentlemen opposite and without a Governor General who had an historic name or an actual name—his reception would not be such as every loyal subject and every attached subject would desire it to be.

Mr. TURCOTTE.—Perhaps you would desire he should come under your protection?

Mr. GOWAN had intended to reply to Mr. McGee's speech, but he had been advised that the best way to treat it would be by passing it over in silence. (Hear, hear.)

Three paragraphs of the Address were then carried.

On that relating to the issue of the Consolidated Statutes—Dr. Connor said that when the House was called upon to express its happiness at the issue of the Consolidated Statutes, it would much increase the pleasure if it were known that the Statutes were issued at a reasonable price. Fourteen and a half dollars (\$14) was too much for the two volumes, and there were only three or four magistrates in his constituency who could afford to go to that expense. (Hear.) The \$20,000 voted last year towards the printing of these volumes was, he had anticipated, too little, but still the price was exorbitant. It was worthy of enquiry whether it could not be lowered, so as to bring copies of the laws within the reach of those who, above all, ought to have them. (Hear, hear.)

Mr. Attorney General MACDONALD agreed with Dr. Connor that the subject was worthy of enquiry, and if his hon. friend would move for the papers relative to the distribution made to the Judges, the Departments, &c., the discussion would come up more fairly. It would, of course, be for the Legislature to see whether a further

sum should be set apart to assist in the further distribution of the laws. He would only remark that it had hitherto been the custom to send to magistrates the Statutes of the current year—not those from the beginning.

Hon. Mr. BROWN thought the price would have been less if the printing of the volumes had been put out by contract.

Mr. PICHE said the hon. member for Champlain knew nothing about the County of Berthier; if he did, he would know the electors there were not greedy for gold, or Government money, like other constituencies. That hon. member had been invited to attend public meetings in Berthier, but had not dared to face an immense assembly, at which his (Mr. Piche's) conduct was unanimously approved. The electors of his County knew better than to repudiate any man, merely because he had not knelt down before the golden calf of the Grand Trunk. There was only one means of getting his constituents, perhaps, to reject him (Mr. Piche), and that was by corrupting them, as had been done in many other instances. Political apostasy was now the order of the day. The hon. member for Champlain, it was true, had been already a Minister, having been Solicitor General for three months, and taken good care to get paid his salary; but there was no reason why he should not expect and desire to be a Minister again. He (Mr. Turcotte) was an eloquent and forcible speaker, but frequently acted on the side contrary to that on which he spoke. What could the public think of a man who acted in this way, but that he was either a fool or most venal. Those who were so reprehensible as the member for Champlain should not be too ready to condemn others, merely because they had not money in their pockets. A day of retribution, however, was at hand. He (Mr. Piche) would rather, at any time, lose his election, than gain it, and occupy the place in the page of history, which the member for Champlain was destined to fill.

The rest of the paragraphs were then carried, and on Motion of Mr. Attorney General CARTIER, seconded by Mr. Attorney General MACDONALD, the same were referred to a Select Committee, composed of Messrs. SIMPSON, DESAULNIERS, TURCOTTE, and the mover, to found an Address thereon.

The Address was reported by the Committee, read twice, and ordered to be engrossed and presented to His Excellency by the whole House.

On motion of Mr. Attorney General CARTIER, the members of the House, who are members of the Honorable Executive Council, were appointed to wait upon his Excellency to know when he would receive the Address.

Mr. SPEAKER then informed the House, that he had received a certificate from the Hon. L. S. MORRIS, announcing his re-election for the County of Terrebonne. The hon. member—introduced by the Attorneys General—was allowed to take his seat, with the usual form.

The House then adjourned.

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Quebec, Thursday, March 1, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

Hon. Mr. VANKOUGHNET announced that His EXCELLENCY the GOVERNOR GENERAL would be prepared to receive the Address in reply to the speech from the throne to-morrow afternoon at three o'clock.

The House adjourned.

LEGISLATIVE ASSEMBLY.

Thursday, March 1, 1860.

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

Mr. McMICKEN asked leave to introduce a Bill, but the SPEAKER suggested that it would be better to wait till the Address in answer to the speech from the throne had been presented to His Excellency.

Hon. Mr. CARTIER announced that His Excellency would be ready to receive the Address to-morrow at half-past 3 o'clock.

ORDER OF THE DAY.

The order for the appearance of M. DIONNE in his place having been read,

Mr. DUFRESNE presented an affidavit from Mr. DIONNE, declaring that he had not been able to take the Railway in time to reach Quebec yesterday, to attend to the sitting of the Committee on the Quebec Election, and on motion of the same member, Mr. DIONNE was excused.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, Friday March 2, 1860.

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

PRESENTING THE ADDRESS.

The House repaired to the Executive Council Chamber to present the Address in reply to the Speech from the Throne.

When the House resumed,

Hon. Mr. SPEAKER announced that His Excellency the Governor General had thanked the Council for the Address.

Hon. Mr. DEBLAQUIERE moved that the reply of His Excellency be printed in both languages.—Carried.

MUNICIPALITIES.

Hon. Mr. ALEXANDER introduced a Bill to restrain Municipalities from issuing debentures beyond a certain amount.

The Bill was read a first time, and ordered to be read a second time on Monday.

CONSOLIDATED STATUTES.

Hon. Mr. ALEXANDER invited the attention of the Government to the fact, that while now all the Magistrates in the country would require to possess a copy of the Consolidated Statutes, yet the price was so high as to place the work beyond the reach not only of this class, but also of the great body of the people. He suggested, therefore, that the Government should take steps to reduce the price, if not to send a copy free to each Magistrate. At all events, he thought that it ought to be reduced to the bare cost of the paper and printing.

ACCIDENTS TO STEAMERS.

Hon. Col. PRINCE enquired of the Government whether it was their intention to introduce a Bill rendering it compulsory upon the owners of steamboats traversing the lakes and waters of Canada, to have masts and sails for the navigation of such lakes and waters, in the event of steam power, by accident or otherwise, failing on a voyage.

Hon. Mr. VANKOUGHNET drew the attention of his honorable friend to the Bill providing for the inspection of steamboats, in which the matters mentioned in the enquiry were provided for. He did not think it advisable to introduce a Bill specially for the object in question, but if his honorable friend thought that the present Bill did not go far enough, he would be glad to consult with him as to the best manner of amending it.

SUBSIDIES TO OCEAN STEAMERS.

Hon. Mr. DEBLAQUIERE moved for copies of any proceedings or correspondence had on the Address of last Session with reference to the subsidies granted by the Imperial Government to lines of steamers in communication with the United States. Also, for an Address to His Excellency the Governor General, for copies of the agreements entered into with the British Government, the United States, and the Continental Governments of Europe, as to the conveyance of mails through Canada. His object in bringing forward this motion was to put the House in possession of facts that it should be cognizant of, in order that they might take such steps as might meet the exigencies of the case. He appealed to the House, that where a great wrong had been done to the Province, and when that wrong had come to the knowledge of the House, it was the duty of the House to redress it. It had been his fortune, since he came to the country, to have had much time to spare, and he had spent a great deal of that time in watching the progress of the Province, and, also, in watching our relations with the mother country; and he could not but be pleased at the rapid strides we were making. Some time ago, a committee sat in England—the Public Works Committee—over which Mr. Cobden presided, the object of which was to take into consideration the expediency of granting subsidies to ocean steamers. It was mainly, he believed, to the instrumentality of this gentleman (Mr. COBDEN) that the establishment of the most friendly relations between France and England was owing, and it was fortunate that he presided over that Committee, because it was formed against the wishes of the Government of Great Britain. He did not wish to say much about the matter, but he felt satisfied that when the correspondence which he had moved for was laid before the House, it would be shown that the Canadian Government would enter boldly and fearlessly into the redressing of the wrongs which had been committed upon Canada in the matter. The wrong he complained of was this. When subsidies were first granted to ocean steamers, the intention was that they should call at Halifax. The Canadian Government were consulted in the matter, and the Canadian people through their Government gave their consent to the arrangement. It was important to keep this in view. In consequence of this understanding the subsidy was granted to the Cunard Line, who in their trips called at Halifax. So far there was nothing to complain of. Canada, through her Government, had consented to the arrangement. Nor did he pretend to say that we were not benefited by the arrangement. A great impetus had been given by the working of that line of steamers to the progress of Canada, and she ought to be thankful for it. But it was quite a different thing when honorable gentlemen came to consider that this subsidy was for a number of years, and that in a few years after it was bestowed, Canada was in a far different position from what she was at

first. However, that was nothing to the unfairness that was afterwards practised towards Canada by the Home Government some time after. As Honorable Gentlemen remembered, it was with the consent of the Canadian Government that the subsidy and agreement had been entered into, and it was only fair to expect that in any subsequent arrangement entered into, Canada would also be consulted, especially in view of her growing importance. Canada had a positive right to such an interference. And why? Because she had greatly changed in importance of position since the arrangement had been entered into. Yet not only was Canada not consulted at all in the matter; but actually a fresh subsidy had been granted before the former one had expired. One of the worst features of the affair was this, and in saying what he was going to say he would not be understood to speak unkindly of the neighbours over the line with whom he hoped we should always continue on the most happy terms, that by this act the Home Government directed the traffic through United States soil which we had a right to expect. No one would deny, if a communication was to be established between England and America, that if possible it ought to be through British Territory. But further than this, the continuance of the present arrangement by which the Mails for Canada were taken through United States territory, had a great and a most pernicious effect upon the finances of our Province—Canada paying by it at the present moment £10,000 sterling a year, or nearly one-third of our postal expenses. And now, at the present moment, when we heard of measures of economy on every side, was it not proper that we should try and save this £10,000 a year. But even this was only a small part of the matter. It was but fair, under all the circumstances of the case, that, before any change was made in the original arrangement, to subsidize the Cunard line of steamers, we should have been consulted, especially as since then Canada had increased in importance and had a line of steamers of her own—(Hear, hear.)—subsidized by ourselves, and, he was happy to say, working well. He was glad to see this. But when Canada had achieved this, what did she find? When one line of steamers was established and subsidized, did the Canadian Government find a return of that confidence which she had shown on former occasions? She found that not only was she not dealt with with fairness—not only that she was not consulted as to the subsidy, but that the British Government did not even wait for the expiration of the existing contract, but entered into a fresh one to again subsidize the Cunard line of steamers. This was a great public wrong, and he hoped that the Canadian Government would not rest satisfied until it was redressed. There was also another wrong done to Canada, and that too at a most inauspicious moment. It was an act which did not reflect any credit on the then Government of England—Lord Derby's. That Government, knowing as it did that Canada had embarked its money in

the enterprise of establishing an ocean line of steamers, had actually given another subsidy to another line of steamers—the Galway line. He loved his native country, Ireland, as well as any man, but at the same time he did not wish to see it favored at the expense of his adopted country, Canada. But the mischief to Canada did not end here—for those lines were subsidized for the purpose of promoting commerce with the United States, to the great injury of Canada. This was the naked fact. These were great public wrongs; and therefore it was that he thought that the Address he moved for most desirable. It was not a question merely of subsidizing—nor was it a question involving merely the working of a line of steamers. It was a question, he believed, involving the commercial standing of the Province. At the present moment Canada and the United States were in deadly rivalry as to which should secure the through trade. Both countries were pitted against each other in a conflict of rivalry. Any one who paid the least attention to the subject must know that from one end of the United States to the other, the all absorbing question was whether Canada or the United States was to bear away the trade of Europe—while the great enterprise of Canada and her public works were the never-ending themes of comment. He had heard it said that the Province was heavily taxed for one great line of railway, but he viewed the expenditure as the only means for the country to rise to that position for which the Almighty and nature had destined it. (Hear.) It was said,—to the shame of those who spoke it,—that the country was bankrupt, that we had a profligate and infamous Government and Parliament; that we were verging upon ruin, and unworthy of the confidence of the people of the British Islands. The most triumphant answer which could be made to the slander was the manner which the Finance Minister had succeeded in his scheme for the consolidation of the public debt. This shewed that confidence in Canada, was not shaken and that mere assertion had effected but little for the detractors. With reference to the expenditure, of which so much was said, and wherewith we were taunted, for what was it mainly incurred? Public works on which the prosperity for the country depended, had taken three fourths, or at any rate, two thirds of the money, and much of it was spent in the great assistance given to that magnificent project, the Grand Trunk Railway, a project, the effects of which, will soon realise the fond hopes of every true patriot. And who was it that lent the money wherewith the great system of public works was started? Was it not the British Government itself, not to be spent in local works, but in carrying out works of importance to the whole Province? He did not agitate this question on account of his being a stockholder in the Grand Trunk, for he had not a share in that or any other railway in the country. He felt however that if there was one railway more than another likely to be profitable to its shareholders it was the Grand Trunk, if as properly managed as hitherto. He made bold

to say this, because it was a great arterial railway, traversing the country, and connecting the seaboard of the Atlantic with the great West. The great objection to the English railways was that the branches were first built and the main lines afterwards, but we had avoided this, and would reap a profitable result. He confessed that he had not expected to see this stupendous project so successful, but he viewed its present position with great satisfaction, the only regret being that the 800 miles of road of which we were so proud did not terminate in British territory on the seaboard of the Atlantic. It was impossible, if carried out with that enterprise which had hitherto distinguished it, but that over the Grand Trunk the greater part if not the whole of the cotton sent to Europe by the Southern States must one day pass. We had the great advantage of direct communication with the Atlantic in summer through our own waters, and in winter through the United States, and in everything the States were now doing to arrest the great movement of trade through Canada, he fear that the whole trade would eventually fall to the Grand Trunk was perceptible. (Hear.) Cotton from the Southern States could be transported to the seaboard more speedily through Canada than *via* New York, and with this article passing our doors, the splendid water powers with which Providence had so bountifully blessed the land, and the fact that at present the return shewed we were largely indebted to the States for goods of that description, it might well be asked why we had not home manufactures? We could, he had no doubt, manufacture cotton goods more cheaply here than those furnished us by the States, and he was pleased to see that a factory was about being started in the Eastern Townships. He hoped to see many such throughout the country before long. He had mentioned the great benefits of the Grand Trunk, and the importance of that undertaking, to show the injustice that had been done Canada, which could boast of such a public work. (Hear.) The anticipated visit of the Prince of Wales was another circumstance shewing the growing importance of the Province in the eyes of the people of the mother country. He regretted that his hon. friend (Col. Prince) in referring to this much looked for event, the other day, was not so happy as usual. That hon. gentleman seemed to think the recent loss of two of our mail steamers might deter His Royal Highness from crossing the Atlantic, but he (Mr. De Blaquiere) had no such apprehension. It was true the Atlantic was a dangerous, a “murderous” sea, as his hon. friend called it, and that we had reason to deplore what was indeed a national calamity. But this should not fall upon or affect the enterprise itself, or be supposed to add to the risk of those who took passage in the Canadian steamers. We had heard of two recent accidents to these vessels, but we had never heard of the many providential escapes of the line with which we were competing. An enquiry into the causes of these accidents was called for, and when the Government saw that every opportunity was taken in England to throw obstacles in the way of our steamers, it was essential that it should

charge itself with an enquiry into that calamity. If the papers which were now moved for were brought down, it would be seen that, in the evidence taken before the Committee of the House of Commons, the ill-fated steamship to which he alluded stood prominently forward as showing the superiority of the route through Canada; she was quoted as having made quicker passages across the Atlantic than any other vessel. He had his own opinion as to the cause of the loss of the "Hungarian," and would not now express it further than to say he could not see how, even in a gale, that vessel could have been stranded where she was. If seamen had one fault more than another, he thought it was that they were too daring. He trusted the loss of the "Hungarian" was not attributable to anything of that kind,—that it did not arise from an effort not to leave well alone. The success of the Line was established, and it was not necessary to have racing, though he did not say there had been any, to prove that the Canadian steamers could make quick passages. He hoped that nothing which could be stated with reference to the dangers of crossing the ocean, would deter Her Majesty from permitting the Prince of Wales to visit this country. If Her Majesty herself were to venture across, she would find the same Providence protecting her, and keeping her in safety, as when she crossed the Solent at Southampton. He regarded the presence of the heir apparent as necessary to this country. British statesmen had lost sight of the great fact that British power must be fostered and encouraged, if it were to be continued on this continent, so that there might be another great England in America, equal to making herself respected by all the world,—another great branch of the Empire in the West, like that in the East. He hoped the present friendly relations with the adjoining Republic might continue to subsist, and that the only contest between the two countries should be as to commerce. It was of immense importance, that the Heir Apparent, who might hereafter be Viceroy, should see what this country was capable of, and particularly at this moment, in order to be able to state whether we were right or wrong in seeking for redress of that injury to our trade which, if not speedily repaired, would bring the prosperity of Canada to an end. With reference to the evidence taken before the House of Commons Committee, it looked as if there was something in it not very palatable to the enemies of Canadian enterprise and progress, for it was not attached to the Report of the Committee, but published separately. That evidence had opened the public mind to the injury done by persisting in an unfair line of conduct towards Canada. If the papers were brought down, he trusted the Government would follow up their efforts with a view to enabling the Legislature to obtain redress for their wrongs. The country in fact could not go on and prosper as it should until these wrongs were redressed. He had no fear in asking the support on this question of those who might be politically opposed to the Canadian Government; he had no doubt all true

friends of the country would exert themselves to have this matter placed in a proper light. Canada did not seek to be subsidized,—she merely asked what she has a right to expect in these days when Free Trade was a watchword, that a bounty should not be given to steamers sailing to a foreign country, and British subjects deprived of what is readily accorded to others. He believed that if this ground of complaint were removed, the resources of the country would be soon in such a way as would give satisfaction throughout the length and breadth of the land. There was one subject, connected with Ocean Steamers, which reflected the greatest credit on the country. He alluded to the success which had attended the Post Master General's endeavors to extend postal communication by the Canadian Line, and to obtain the conveyance of foreign mails. These things would speak for themselves, and carry their own praise with them. He did not speak as an advocate of the Government, but because these were matters of great importance,—because the future prosperity of Canada was involved in these questions. He asked honorable gentlemen to view the matter as friends of Canada, so that by their joint efforts our country might be placed in that light before the English Government which she only required to be placed in, in order to have her remonstrances on the subject of the subsidies to Ocean Steamers attended to. (Hear.)

Honorable Mr. KNOWLTON seconded the motion.

Honorable Mr. VANKOUGHNET said there could be no objection to the proposed Address.

Honorable Colonel PRINCE concurred in all that his honorable friend (Honorable Mr. De-Blaquiere) had said, except as to that part where he alluded to his (Colonel Prince's) remarks respecting the Prince of Wales, visit. He had made up his opinions as to two facts. It must be apparent to all that the Atlantic was a murderous sea to cross, and that the Queen herself, though possessing that bravery for which all the Royal Family of England were ever distinguished, would not risk the dangers of the ocean even for such an affectionate greeting as her loyal Canadian subjects were ready to afford. Moreover, Her Majesty could not leave England for so distant a portion of the Empire without the consent of the Privy Council and Parliament, and it was also fully believed when the invitation was sent, that it was almost too much to expect a personal visit from the Sovereign. In the Despatch it was announced that it was possible we might have a visit from the Heir to the Throne, the Prince on whose brow the Crown of England would one day rest, though it was to be hoped his illustrious parent might be spared for many years yet. He (Colonel Prince) thought it improbable we should have any such visit from the Prince of Wales; it was unlikely that the Queen, the mother of that noble youth, would allow him to expose himself to the dangers of crossing the Atlantic. Her Royal Highness was a mere boy as yet, a stripling, and a visit from him, when his mind was matured, when by the study of history he had become better ac-

quainted with the country and had acquired that knowledge of its commerce which he should possess, would be more valuable and important. The second hope of England was now but a mere stripling, and were he to visit Canada would take but little interest in the agricultural and other interests of the country; he would know nothing of the back-woodsmen, nor would he have time to visit the Great Lakes. Let the young Prince wait until he was twenty-five or thirty years of age, and he would then know how to appreciate Canada and the Canadians. Of course, affection for Her Gracious Majesty would at all times secure for him our enthusiastic and loyal greeting.

Hon. Mr. VANKOUGHNET, with reference to the doubt expressed by the hon. and gallant gentleman who had last spoken, as to the probability of a visit from the Prince of Wales, said he firmly believed His Royal Highness would come to Canada. The despatch from the Colonial office was worded in the usual official, guarded style, but there was no doubt the Prince would come, and that the accident to the Canadian steamer would not have any effect on the visit. (Hear, hear.) As to His Royal Highness waiting until he was twenty-five or thirty years of age, before that time he might succeed to the Throne and be detained by the same cause as now prevented the Queen from coming. He was now at an age when he could be called upon to reign as Sovereign, to wield the destinies of the Empire, and was therefore hardly too young to visit Canada. The motion for the Address was adopted.

RATE OF INTEREST.

Hon. Colonel PRINCE, in introducing a Bill to amend the Law respecting Interest, said its object was to repeal so much of the existing law as allowed an unlimited rate of interest to be taken, and to provide that 8 per cent be the maximum rate, contracts for a greater rate to be void *ab initio*. The Bill did not make any exception as to Banks, which, under it could take eight per cent instead of seven, as at present, nor did it affect vested interests in any way, or interfere with Corporations which never had a right to charge a greater rate. It was a very simple bill, and he was induced to bring it before the House, from having seen the ill effect of the present law, under which great cruelty and oppression had been committed; those who took advantage of it to borrow money at exorbitant rates, to save themselves from ruin, having in many instances, been ground to the earth, and turned with their families out of doors.

The Bill was read a first time, second reading on Friday next.

Hon. Mr. SPEAKER presented a return of Births, Marriages and Deaths in Three Rivers in 1859.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Friday, 2nd March, 1860.

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

PRESENTATION OF THE ADDRESS.

At half-past three the House proceeded to the Executive Council Chamber to present to His Excellency the Address in reply to the Speech from the Throne.

At four o'clock, the Members returned to the House, and Mr. SPEAKER informed them that His Excellency had been pleased to receive the Address and to make the following gracious Reply:—

"Gentlemen of the Legislative Assembly,

I receive with very great satisfaction the loyal Address which has just been read by your Speaker, and I thank you for your readiness to provide for the Public Service."

BILLS INTRODUCED AND READ AT FIRST TIME.

BILL to repeal so much of the existing law as permits an unrestricted rate of Interest to be taken for the use of Money, to provide a remedy against usury by establishing a maximum rate of Interest, and abolish all class restrictions within the limit so to be established.—Mr. McMicken.

BILL to remove the restrictions on the use of Water courses in Lower Canada, and to permit the proprietors thereof to turn them to account.—Mr. Lemieux.

BILL to regulate the rate of Interest.—Mr. Cauchon.

BILL to extend to Parish and Township Municipalities the Acts authorizing the establishment of Joint Stock Gas and Water Companies.—Mr. Lemieux.

BILL to amend the Act 22 Vict. chap. 2nd, intitled "An Act to remedy the representation of the people in the Legislative Assembly."—Mr. Foley.

BILL for the exemption from seizure and sale under execution of a Family Homestead and certain other property.—Mr. Bellingham.

BILL for the exemption of cattle and Implements necessary for working the Farm from seizure and sale under execution.—Mr. Bellingham.

RESIDENT JUDGES.

Mr. PICHÉ enquired of the Ministry if they intended to establish a Resident Judge in each of the present Judicial Districts.

Hon. Mr. CARTIER said it was not the intention of the Ministry so to do.

THE SEIGNORIAL SCHEDULES.

Mr. BEAUBIEN enquired of Ministers whether it was in their power to inform the House what progress has been made with the Seigniorial Schedules, and whether they were in a position to state when those Schedules will be deposited.

Hon. Mr. CARTIER was happy to inform the hon. member that the Schedules were completed, with the exception of a few appeals only; three

or four in the District of Three Rivers, ten or twelve in that of Montreal. In the district of Quebec, Kamouraska and Gaspé they were all completed.

COMMITTEE ON EMIGRATION.

Mr. McGEE moved for the appointment of a Select Committee on Emigration, to consist of Hon. Mr. Sidney Smith, Hon. Mr. Algey, Mr. Heath, Mr. Bureau, Mr. Bell and himself—Carried.

FEDERATION OF THE PROVINCES.

Hon. Mr. SICOTTE enquired of Ministers, whether the confederation of the British Provinces in North America had, since the last Session, been the subject of fresh negotiations and correspondence with the Imperial Government and the different Colonies; and whether they intended to lay before Parliament all communications and documents relating to that important question.

Hon. Mr. CARTIER replied that correspondence was going on relative to the subject, and everything that was in the possession of the Government would be laid before the House.

Hon. Mr. SICOTTE then enquired of Ministers, whether it was their intention to submit to Parliament any proposition or measure, in relation to the Confederation of the British Provinces in North America?

Hon. Mr. CARTIER replied that this important subject had not escaped the attention of the Government; communications had passed and information respecting it would be laid upon the table. It was not the intention of the Ministry to submit any measure or to propose to the House to legislate upon the subject of the Federation of the Provinces; indeed, the House had no authority in the premises.

THE LOSS OF THE HUNGARIAN.

Mr. McGEE enquired of Ministers, whether they had instituted an investigation into the probable cause of the lamentable loss of the Steamship "Hungarian," one of the line of Atlantic steamships subsidized by this House, and if so with what result?

Hon. Mr. ROSE—Immediately the lamentable occurrence was made known, the Ministers put themselves in communication with the owners of the line, and a most stringent investigation was going on.

Hon. Mr. BROWN.—Had any one gone on behalf of the Government?

Hon. Mr. ROSE.—No one had been specially sent.

Hon. Mr. CAUCHON.—The steamers were not the property of the Government.

Mr. McGEE.—We paid them £50,000 sterling a year.

SINKING FUND OF THE IMPARIAL GUARANTEED LOAN.

Honorable Mr. CARTIER, on behalf of the Honorable Minister of Finance, gave notice of his intention to introduce a Bill, on Tuesday next, to carry on a Bill respecting the Sinking Fund for the Guaranteed Loan.

In reply to Mr. BROWN, Hon. Mr. CARTIER, on behalf of the Government, promised that no discussion on the subject of the late financial negotiations in England should be gone into, without all available papers relating to it being first brought down.

MUNICIPAL LAW OF LOWER CANADA.

Hon. Mr. CARTIER gave notice that on Tuesday next he would introduce a Bill for the Consolidation of the Municipal Law of Lower Canada.

BUSINESS OF THE HOUSE.

On motion of Hon. Mr. CARTIER, a Select Committee was appointed to assist Mr. Speaker in making the proper arrangements for the distribution of the business before the House—the Committee to consist of Hon. Mr. Sicotte, Hon. Mr. Brown, Hon. Mr. J. S. MeDonald, Mr. Dunsin, Mr. Benjamin, and the mover.

On the question of adjournment,

Hon. Mr. SICOTTE desired better information relative to his question of a Federal Union of the Provinces. The reply, that the Government did not purpose any legislation on the subject, was an evasion. Had they any proposition in contemplation, to be submitted to Parliament?

Hon. Mr. CARTIER—The correspondence which was going on must be concluded first. All that had passed, would, he repeated, be laid before the House.

The House then adjourned.

THOMPSON'S
MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Monday, March 5, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

DEATH OF THE HON. MR. CROOKS.

Hon. Mr. SPEAKER announced that he had received intelligence of the death of two members of the House,—Hon. Mr. Crooks, who died on Friday last, and Hon. Mr. Dionne, who had died since last Session.

Hon. Mr. DE BLAQUIERE moved the adjournment of the House, as a mark of respect to the memory of the deceased hon. gentlemen. Hon. Mr. Crooks would ever be held in remembrance for his independent conduct as a member of the Legislature, and for his estimable private character.

Hon. Mr. BOULTON seconded the motion, and also bore testimony to Hon. Mr. Crook's conduct as an independent member of the House. The deceased hon. gentleman had been spared to a good old age, and left a numerous circle of friends to deplore his loss.

Hon. Mr. VANKOUGHNET joined in the eulogy pronounced upon the Hon. Mr. Crooks, whose name would long live in the history of Canada.

Sir. E. P. TACHE took advantage of this melancholy occurrence to pay a tribute to the memory of both the Hon. gentlemen of whose death the House had just learned. Hon. Mr. Dionne was not an orator, but was possessed of intellectual qualities of a high order; he was not gifted as some men were, but he had those qualities without which talent is of little value. He was eminently a friend of the poor, and spent a small fortune, which he had acquired by his industry and integrity, in alleviating the distress of his fellow men, and promoting the education of the youth of the country.

Hon. COLONEL PRINCE had known Hon. Mr. Crooks intimately for fifteen years, and confessed that the announcement of the death of the Hon. gentleman had come upon him suddenly. He had known him both in private life and as a mem-

ber of the other House. There he was distinguished for his manly, straightforward and independent course,—he was as honest and independent as any man could be, in his public capacity. In private life he always found Hon. Mr. Crooks a high-minded and honorable gentleman; in fact, he realised in every sense of the word the remark of the great English poet, Pope, that "an honest man is the noblest work of God."

The motion was carried.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Monday, March 5, 1860.

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

CANADA LIFE ASSURANCE COMPANY.

Mr. SPEAKER presented to the House the annual statement of the Canada Life Assurance Company.

TERREBONNE ELECTION.

Mr. SPEAKER presented to the House a certificate from the Clerk of the Crown in Chancery, of the Return of the *Hon. L. S. Morin*, for the County of Terrebonne.

LIBRARY OF PARLIAMENT.

Mr. TURCOTTE moved, seconded by Mr. LANGEVIN, that a Select Committee composed of Hon. Mr. *J. S. Macdonald*, Hon. Mr. *Scotte*, Hon. Mr. *J. A. Macdonald*, Hon. Mr. *Dorion*, Hon. Mr. *Mowatt*, Hon. Mr. *Alley*, and Hon. Mr. *Merrill*, and Messrs *Laberge*, *Campbell* and the mover, be appointed to assist Mr. Speaker in the direction of the Library of Parliament, so far as the interests of this House are concerned, and to act as Members of the Joint Committee of the two Houses for the management of the Library.

Mr. BROWN called the attention of the House to the fact that six of the Hon. gentlemen named were Lower Canadians, while only four were Upper Canadians.

Mr. TURCOTTE said he hoped that the Hon. gentlemen did not suppose that advantage had been taken of the Seat of Government being at present in Lower Canada, to name an undue number of Lower Canadians. He had to inform the Hon. gentlemen that the proposed committee was the same as last year.

Mr. FOLEY. Will you allow the name of Mr. Wallbridge to be added to the list?

Mr. TURCOTTE—Certainly.

The motion, with the addition of the name of Mr. Wallbridge, was then carried.

It was then resolved that a Message be sent to the Hon. the Legislative Council, to communicate to their Honours the said resolution, and it was ordered that Mr. Turcotte should carry the Message to the Legislative Council.

BILLS INTRODUCED AND READ A FIRST TIME.

Bill to prevent the Adulteration of Articles of Food and Drink, and to provide for the inspection thereof.—Mr. Dunbar Ross.

Bill to regulate the proceedings of Gas Companies, and to authorise the appointment of Inspectors of Gas and Gas Metres.—Mr. Dunbar Ross.

Bill to amend the Act entitled "An Act respecting Telegraph Companies."—Mr. Dunbar Ross.

Bill to provide for an enquiry into the loss of any Ships or Steam Vessels, carrying passengers from Europe or elsewhere to this Province.—Mr. Dunbar Ross.

Bill to enable Her Majesty's Courts of Justice in Lower Canada to hear and determine matters in dispute between the Crown and the subject, at the instance of the latter.—Mr. Dunbar Ross.

Bill to exempt Homesteads, and certain other property, from seizure and sale under execution.—Mr. Daly.

Bill to amend the Law of Replevin in Upper Canada.—Hon. Mr. Morat.

Bill respecting the rights of innocent occupants of land under titles which prove defective.—Hon. Mr. Morat.

Bill to regulate the rights of persons married in foreign countries, and emigrating therefrom to reside in Lower Canada.—Mr. Dunbar Ross.

Bill to prohibit the sale of Intoxicating Liquors in this Province.—Hon. M. Cameron.

THE RUSSELL ELECTION.

Hon. MALCOLM CAMERON said:—Mr. Speaker: I rise to propose an address to his Excellency of a peculiar nature—one dictated by motives of kindness and benevolence, and which I hope will meet the unanimous response of this House. It is connected with the case of three gentlemen who are now incarcerated in the common jail of the city of Toronto, one of whom was for some time a member of this House. They were charged with serious offences against the liberties of the people of this country. I was one of the first to move on the subject, and to record my opinion that it

was a matter which called for the strongest expression of condemnation, and for the most severe punishment. An investigation was held, these gentlemen were tried, and they were convicted, I think, in December last, of having been guilty of various serious offences against the rights of this House, and against the rights and liberties of the people of this country. They had undoubtedly conspired to obtain a large number of votes in order to carry the election improperly. I am not here in any way to impugn the justice of the sentence, or to cast the slightest doubt upon it. There can be no doubt whatever, that, from the verdict of the jury, the judges gave a sentence as lenient as was consistent with their duty. I am not standing here to plead that those men were innocent; I have no doubt whatever, that a certain amount of guilt attached to each, but certainly a very different amount. There are various palliating circumstances which might be argued, and possibly may be, by legal minds. I have had in my hand a large number of arguments, which, I am sure, a lawyer, before a court, could make use of, with a great deal of force and propriety, to show how hard were the circumstances of trial in such a case, and how easy it would be to convict many of us of conspiracy against the election law. Those men were without an examination by a Magistrate; they had no introduction to the Jurymen, and had not the right to challenge them. A vast number of privileges which the criminal is generally allowed in his defence, that he may not be hastily condemned, these men were not granted. There are also other facts which might be brought up with great power, and which have had an impression on my mind. This one point, I think, must have a strong effect upon the mind of every man, whether legal or not—we are to be convicted by our peers—to be convicted by a jury who are to give an unanimous verdict. After that trial, five jurors came forward and made most solemn Affidavit that they did not believe in the guilt of the prisoners, and would have held out until they acquitted them had they not believed that a majority could give a verdict. These Affidavits have been before the Courts and certainly constitute a reason why mercy should interpose for these men and their punishment be shortened. Some have argued of these five jurors, that this is an afterthought or that they are friendly to the prisoners and have been induced so to swear. Then, would you keep a man in jail upon a verdict by men who have committed perjury? The fact of these five jurors having sworn that they did not believe the prisoners guilty, ought to have great weight with the Crown in the exercise of its prerogative. Notwithstanding my admission that there was guilt, and that these crimes were committed, the question is, has public justice been satisfied—has the majesty of the law been vindicated—have the rights of the people of this country been sufficiently sustained by the conviction of the offenders and the suffering they have endured? Certainly; the mere dura-

tion of months in prison does not satisfy public justice. It is the fact that a man, holding a much higher position than many of us—a gentleman who has practiced in the higher Courts, I think, twelve or fifteen years—that he should be convicted of so great a crime and committed to the common jail as a felon, and fined a large sum; that it should be, in history, a stain upon his family—that is, what he would almost rather have suffered death than have gone through. Now, are we to follow up that man and act vindictively? Are we to shrink, for any purpose, political or otherwise, from acknowledging that Justice has been satisfied and the time has come when Mercy ought to interfere. It is a common, hackneyed saying, but as true as Scripture, that, having justice, none of us would see salvation. Certainly, it applies to many members of Parliament. If every man were tried for bribery at Elections as our old compeer, Mr. Fellowes was, there would hardly be a quorum in the House! You could very easily find conspiracy and prove that parties were benefitted through their agents. That is no reason why such parties should not be punished, but it is a reason why mercy should interpose in this case: it is a reason why we should act as many an individual does. Many a man, who has been seriously injured, as soon as justice has been done him, is the first to acknowledge himself satisfied and that say "enough," and magnanimously to ask that mercy should be extended to his enemy. In this case we are the prosecutors; our fellow-member has been degraded, and has endured more suffering than most of us are aware of, for I have not touched upon the acute part of his sufferings. It is very hard that a man should not be tried in the county where he lived. It is, perhaps, the hardest part of the matter that these men were tried in Toronto and incarcerated in a jail at a remote distance from their friends and homes. One was an old man—between sixty and seventy years of age, and accustomed to hard out-door labour. This man was shut up a hundred and fifty miles away from his family. All of them left wives and families without their aid; now Spring is coming on, they cannot attend to their business, and if it is neglected they may be rendered almost paupers. They should be allowed to return home. This is the light in which we should view it. I have visited Mr. Fellowes several times in prison; at one time when I saw him I believed his life in danger; I have seen him recently, and he is suffering much from rheumatism and swelling of the knees and ankles; and he is an active young man, not over forty. We have to consider these things to know whether there is anything due to society that these men should be kept there three months longer. Will it do any good to electors of this country? I had no doubt when I first moved in the matter that I was right, but I feel much stronger in my assurance now that the gentleman who conducted the prosecution, has been the very first to say three months were as good as six, for the

satisfaction of justice. Is there anybody who will say that Mr. Wilson is not well qualified to say what would be right in the case? Few will venture to say he was wrong in giving that opinion; few would say, "Let us have the pound of flesh"—"Let him remain; he may die, and that will be sufficient punishment"—"Let him that is without sin cast the first stone."

Hon. Mr. LORANGER—Has any application been made to the Crown for his release?

Hon. Mr. CAMERON—A petition was got up, signed by a few persons, and transmitted to the Head of the Government. I do not know the result further than that Mr. Lyons told me no action had been taken upon it. Mr. Fellowes, J. S. Casselman and Martin Casselman have been in jail since the second of December—more than half the period allotted to them. The reason I adopted the course I have done, is that, on looking for a precedent. I found one case exactly in point, and which will relieve the House from any doubt at all as to the course they ought to pursue. The case was in 1820. Sir Manasseh Lopez was convicted of sixteen or eighteen cases of gross bribery. He was sentenced to incarceration for two years and fined the sum of £2000. In waiting from one Parliament to another, his time was extended several months longer. When one year of the period had elapsed Parliament met, and Lord John Russell came forward with an address, praying that his sentence might be commuted. Lord John Russell said it became the Opposition—those who had been the movers in the prosecution,—who desired to have the man prosecuted—now that justice had been satisfied, and no injury could be done to the public morals,—to allow him to go free. But the parties argued that the House had not the right to advise the Government as to the prerogative. The Address was withdrawn, and the Government acted on the prerogative independently. Since then, Sir Fox Small, and the most celebrated lawyers, entirely concur that there never can be a doubt on the right of the House to advise the Crown on the right of prerogative. I therefore move, seconded by Mr. D. Ross, "That an humble Address be presented to His Excellency the Governor General, representing to his Excellency that George Byron Lyon Lowes, Martin Casselman, and John Saxon Casselman, are at present suffering imprisonment at Toronto, where they have been confined for the last three months on Judgment obtained in Her Majesty's Court of Queen's Bench, at Toronto, in a suit brought against them and one George Mosely Chrysler, by the Crown, for conspiracy to obtain the return of the said George Byron Lyon Fellowes, for the County of Russell, by illegal or fictitious votes. That upon motion made before said Court for a new trial in this case, the Affidavits of five of the Jurors who tried the same were submitted to the Court, setting forth that the Verdict recorded on the trial of cause, was the Verdict of a majority of the Jury who tried the same, and that said Jurors had not concert therein, but that the Verdict was rendered under the impression that a majority was sufficient to

warrant a Verdict. That the Court decided they could not, by the practice of the Court, take into consideration the Affidavits of Jurors on motions for a new trial; and that this House respectfully submits to His Excellency that as no such stringent rule binds His Excellency in the exercise of the Royal Prerogative, that the same be taken into consideration by Him. That this House is of opinion, whether the Verdict was erroneously rendered or not, that, by the conviction of the parties, the law was sufficiently vindicated, and that the imprisonment already suffered by the parties, has been sufficient without inflicting a deeper injury by loss of health and destruction of prospects, which a longer imprisonment must entail, and pray that His Excellency will be pleased to exercise the power of the Crown and relieve them from the residue of the Judgment."

Mr. PATRICK said it would afford him very great pleasure if, on the present occasion, he could support the motion of his Hon. friend who sat in front of him (Mr. Cameron) He had taken a very active part in the proceedings relative to the investigation into the case, especially as he was from a central Canadian constituency, as was Mr. Fellowes, and desired to see justice done to the county of Russell. And having done so, he should feel much pleasure if he could support the words of charity and sympathy that had been uttered by the previous speaker. However, feeling that pity and compassion were not the only sentiments or affections that should influence public men, he thought that the honor of the country, the duty he owed to society—(Hear)—were considerations which should press themselves upon the House. When he thought the offences which had been perpetrated were of the gravest character possible, that no public man could thrust a deeper stab at the purity of election, at the welfare of the community, at public rights and privileges than had been aimed by Mr. Fellowes who was now suffering the penalty of his evil doings—when he took that into account, he was compelled to come to a very different conclusion than that of supporting the motion now in Mr. Speaker's hands. (Hear.) The precedent that had been quoted by the member for Lambton was, he thought, a very important one. In the first place, Sir Manasseh Lopez was an old man, between 60 and 70 years of age; he was a man who had paid the penalty of £2000, and had been incarcerated for eight months. And for what did he suffer? Because he had been guilty of the offence of bribery—endeavoring to carry an election by money influence. Here, on the other hand, was a person who had been guilty of forgery, who had been accessory to perjury—offences far worse than those of Sir Manasseh Lopez. And in the case of Sir M. Lopez, the very party who moved for his release, Lord J. Russell, saw himself in a false position, and backed out of it. Here were his remarks,—“On reviewing that case, though I felt it to be my duty at the time to advise a remission of the sentence, I also felt the great difficulties in the

way of doing so, in consequence of the motion which had been made on the subject in the House of Commons.” He (Mr. Patrick) fully concurred in the opinions of Sir Robert Peel, who said,—“I think it dangerous for a popular Assembly to establish a precedent which may fetter the discretion and judgment of the Crown, by expressing any recommendations on such subjects.” And, again,—“I recollect a similar motion was made for the liberation of Mr. Hunt from Winchester gaol, when I was Secretary of State. On that, occasion, as Secretary of State, I claimed the right of exercising the prerogative of the Crown, considering that, while the interference of the House of Commons ought never to prevent me from doing what was just, I, at the same time, felt that, in the exercise of the prerogative of the Crown, I ought not to be influenced by any opinion which the House of Commons might express.” Once more, the same statesman observed,—“I think that we should be placing the Crown in an unfair, unconstitutional and in an unjust position, if we, a popular Assembly, claimed the right of interfering in cases which properly come under the prerogative of the Crown alone.” He would, however, leave the lawyers to decide with regard to the constitutionality of the question.—As to the inexpediency of their interfering in this case, he had fully made up his mind. He felt that they would be forgetting their duty to their country, forgetting their duty to themselves, if they were to be led away by steer sympathy for a person merely because they had known him, merely because they had associated with him, because he had been a Member of that House, and were to Address the Governor on his behalf. (Hear.) Why should they do this? The mover of the resolution had said the sentence was a just one. The punishment was only imprisonment for 6 months, and a fine of £200 for perpetrating the vilest offences against the Public of which a man could be guilty! The forger who was sent for life to the Penitentiary, was a nameless, unknown individual—and therefore they never interfered in his behalf; he was incarcerated while he lived, and they never said the majesty of the law had been vindicated by his being sentenced. They would, he thought, mistake the mark, mistake their duty, if they indulged in sentiments of kindness towards the late Member for Russell. They would have been glad if he could forget the past, if he could allow himself to be led by the feelings he entertained towards the individual himself, towards his wife, who was represented as a most amiable and estimable woman, or towards his children, who were fine, nice, promising young persons. Duty to the House and the Country would, however, prevent this, and his vote would be given for what he thought calculated to advance the best interests of Society. He would only add that, if Mr. Fellowes' life were in danger, he should think the Crown ought, of itself, to exercise the Prerogative in his case. (Hear, hear.)

Mr. NOTMAN said the subject of this appli-

cation had long been an intimate friend of his ; he had known him for many years, and even during the lengthy examination which took place here, there was no interruption of the kindly personal feelings he entertained. He was very sorry, therefore, that he could not concur with the mover of the resolution now before the House in the sympathy shown on behalf of an individual who, perhaps of all others, was the least entitled, from his rank, position, talents and knowledge, to the favorable consideration of the Government or the House. He (Mr. Notman,) could not for a moment conceive how a gentleman, on whom such eulogiums had been passed by the Hon. member (Hon. Mr. Cameron), who had the honor of wearing a silk gown—had conducted criminal business for the Crown for years and years—was intrusted with the administration of criminal justice in its highest branches, and who had then engaged in the vilest and most atrocious frauds, villainy and perjury, could be entitled to sympathy. For he was not out of his mind at the time of committing these acts, since they necessitated a long and careful consideration, since he must have pondered long over every step and studied the best ways of carrying it out with the greatest ingenuity. Then, again, he had openly and boldly stood up in the High Court of Parliament, proclaiming his innocence, and claiming the privilege of being considered innocent in the face of evidence so strong, evidence so damning, that a Jury found him guilty on the strength of it, although he had been sustained in the House by the assistance of those who might have advised him better. This was another reason against giving a favorable consideration to his case. It had been said that the Jury who had convicted him were not unanimous—that five of the Jurors who had been solemnly sworn in the Jury box had afterwards deliberately made Affidavits that they did not understand what they were doing, that they were under the conviction that the opinion of the majority ought to prevail, and that unanimity was not required. This, he thought, unworthy of belief. If any portion of Canada contained persons so ignorant, he deeply regretted the state of the population. Their Lordships who, at Toronto, had rejected these Affidavits, had done so on the ground of common sense, and common intelligence. Men might have been prevailed upon to tender such Affidavits, but they must feel their consciences shrink from making them. The case of Mr. Fellowes had been considered in all its bearings ; he had been ably defended, had had the advantage of a fair trial by jury, the liberty of calling witnesses ; perhaps even public feeling was with him to a certain extent ; Yet, after a fair trial, he had been convicted, according to the law of the land, according to the usages prevailing in criminal courts. He now asked that this House should take upon itself to disbelieve that that Verdict, (No, No,) and to affirm that five men, had they known their duty, would have held out against time and demanded an ac-

quittal! He thought the House would show its sense of right by treating this as nothing, and by not interfering with the course of justice. (Hear, Hear.) It was said that Mr. Fellowes was suffering, and that was the only point on which an appeal could properly be made to the House, and he (Mr. Notman) would step forth like any other man to prevent a man's dying in gaol, and would concur in a request to restore him to his family. However, all they knew on the subject was that he had been incarcerated for 3 months and felt it exceedingly uncomfortable. He (Mr. Notman) could appreciate the anguish of separation from wife and children, which produced an agony sufficient to rouse the sympathy of any one, but the House was not to be governed by sympathy, which in this case would degenerate into a mawkish character. The House had to protect purity of election—had to protect the most valued of its privileges,—to take care that no man should stand between it and the People,—and to guard the rights of the people against outrage. (Cheers.) No evidence had been or could be adduced to prove that Mr. Fellowes' life was in danger, he (Mr. Notman) having made enquiry, and been told that medical gentlemen had refused give evidence that his health was in a dangerous condition. It was on medical grounds, as he had said, that he could alone support any application on Mr. Fellowes' behalf but were these adduced, he could forgive and forget the past, and act the part of humanity.

Mr. GOULD said before the motion of the Honorable Gentleman was put to the House, he desired to enter his protest against any interference on the part of the House with the very moderate sentence of the law in this case. Had there been any injustice done to Mr. Fellowes by the Court? Was it not admitted on all hands, that the sentence was a just one? Nay, more, was it not conceded that the sentence was as light as the Court could possibly inflict, to maintain anything having a semblance of a vindication of the law? If this were the case, why interfere? And if it were not the case, why interfere? For he protested in the outset, that this House had no right to interfere ; this was a matter clearly in the hands of the Crown ; and could only be dealt with by the exercise of its prerogative. Who was the party whose sentence, this House was asked to intimate their wish and desire should be mitigated? Why, he was a late member of the House ; and what were the crimes of which he had been convicted? Search the journals of '58, and it would be seen that he was there charged with having secured a seat in this House, by the most corrupt means,—by being privy and accessory to crimes of the deepest and blackest dye ;—by having promoted and encouraged in others, crimes, among the blackest known to the law. Was it not notorious that he procured the perpetration of forgeries and perjuries, the most gross, the most corrupt? Did he not procure the insertion on the poll book of 341 false votes? Was it not clear that he would never have been in this House as member since the last election, had it not been for the inser-

tion of those 341 false votes, and would it be said that he was not privy to this outrageous fraud? Nay, would it not be admitted that he abetted, promoted, and encouraged it? And further, would it not be agreed that he even did more? Did he not suborn men to commit perjury? And, now, with all those facts recorded on our Journals, this House having failed to purge itself, and expel that criminal impostor, the law of the land having fortunately overtaken him, and rendered that justice to this House and the country, which this House failed to do to itself; he (Mr. Gould) thought he might safely say that the whole country rejoiced at the conviction of Fellowes. Even the ministerial press, which had so boldly and recklessly vindicated and supported the ministry, in the determined stand they took in the House, in sustaining and maintaining Fellowes in the seat he so corruptly had obtained, turned round, upon his conviction, and declared it was just. And, now, to-day, what did we find? A motion intended to intimate to the Government a desire on the part of the House, that the very lenient sentence of the law should be mitigated! And why? Because the crime was a light one? No; it was admitted by all that the crimes of which he was convicted were of a most heinous kind. Was it because his health was failing, and his life was in danger? No such thing had been proved. Then what was the reason why the sympathies of this House should be moved in his favour? Was it not, because he was so successful in his frauds and crimes, as to criminally and fraudulently secure a seat in this House? Would not this be a false sympathy? Would it not be a corrupt sympathy? Should it be said, that no matter how great the criminal, nor how black and dark the crimes he might commit, if, in the committal of them, he could secure a seat in this house, against the known will of a County, that this house then, should shield and protect him,—and if by any accident he should be overtaken by the strong arm of the law, then this House would throw the mantle of sympathy over him, and attempt to move the Crown in his favor. This he would call a very false sympathy, a most dangerous sympathy, a bonus held out to scoundrels to make similar attempts. He protested most emphatically against this House sympathising with any criminal, upon the ground that he had formerly been a member of the House. Why, if this motion was carried, in his opinion, to be consistent, the House should appoint a commissioner, to examine all the prisons and penitentiaries in the Province, and report all cases of persons convicted for an equal or a less crime, who had served out part of their time, and then ask the Governor to liberate them. There was another reason why he protested against this motion. It appeared to him to be a most uncalled for interference with the administration of Justice, nay more, it was a significant reprimand of the Judges. It seemed to say most significantly:—"Gentlemen of the Bench take care, you are at liberty to exercise your Judicial powers over any poor unfortunate

ragamuffin who may have stolen a coat, to shield him from the piercing blast of a Canadian winter. You may commit him to prison for 3, 6 or 9 months, as you please; but, Gentlemen, beware, if any of our members should appear before you, 'hands off,' if you presume to punish them even a tithe of what their crimes deserve, we will move the Crown in their favor, we will secure a commutation of their sentence, we will have them turned loose on the community to practice their frauds again." Was not this in effect what he said? And again he protested against this motion on moral grounds; the moral character of our people was only known abroad, through our public men, and the acts of our public men, and the acts of our Government and our Legislature; and surely our moral character had suffered sufficiently already, by the acts of this Government and this Legislature, without our adding this further stain, this further black mark to our moral garment. He trusted and hoped that this motion might be withdrawn. He wished in his heart that they could with truth, at one brush, wipe from their Journals all trace of this case and the recollection of it. But above all, let them not add this blot to our Journals, and this further stain to our moral character.

Mr. GOWAN had not intended to say a word upon this motion, as he had laboured under the impression that the present motion would not have received any opposition, and, that, in fact, gentlemen who, like himself, had assisted in the expulsion of Mr. Fellowes from the House, would have been the first to stand forward and vote for such a motion. He, however, had been disappointed, yet he hoped that the House would extend to Mr. Fellowes that charity which we all stood so much in need of. The honourable member for Grenville (Mr. Patrick) was rather unfortunate in the arguments which he had brought forward in support of the position he had assumed towards Mr. Fellowes. With regard to the liberation of Hunt, it was Sir Robert Peel's doctrine that the Government was not to be influenced by what the House of Commons said. This was a pretty doctrine to hold; and it was on the strength of such a doctrine as this that the Honourable Member founded an argument to oppose the present motion. He trusted that the Commons of Canada would never permit any member of our Government to hold such language as that to the House. (Hear, hear.) But against this speech of Sir Robert Peel, there were to be set off the opinions of other talented and well known men. Among them he might instance Mr. O'Connor, who, on the same occasion, expressed his conviction that the case, then under discussion, was one on which the House might address the Crown to mitigate the contemplated punishment.

Hon. M. CAMERON—What was the vote on the occasion?

Mr. GOWAN—It was a tie. The feeling in the House was so strong that it was a tie; and the Speaker, as was customary, gave his vote in the negative. Another objectionable state-

ment made by the honorable gentleman (Mr. Patrick) was that Mr. Fellowes had been tried for perjury and forgery. He had been tried for nothing of the kind. Mr. Fellowes had been tried for conspiracy only. And how easy for it, under the peculiar circumstances of the case, would it be for any one to become amenable to the charge of conspiracy. If any friend of a candidate for election, to all innocent of the law, the breach of which rendered a man amenable to the charge of conspiracy, acting, as he believed, for the good of his candidate, and in good faith, were to involve himself, he would not only bring himself within the statute, but he would also bring the candidate. If such a principle was to apply, how many of the gentlemen at the present moment listening to him, but would find themselves suddenly guilty of the charge in question. An Honorable gentleman, who had just taken his seat, had also adverted to the jurymen in order to substantiate a reason for opposing this motion,—but the most that could be drawn from the circumstance was that the jurymen in question were unfit to judge in the Fellowes case, or in any other case. He would now draw attention to the Affidavit which five of those Jurymen had made, and which had already been alluded to by his Hon. friend who had introduced the motion. Those Affidavits were made by men of different nations, and holding different political opinions; therefore a charge of combination could not be brought against them. The first Affidavit set forth that the Juryman who made it believed that a majority of the Jury, only, was requisite to return a Verdict; and that had he understood his right of a Juryman, he never would have consented to a Verdict of Guilty, against Mr. Fellowes. The second Affidavit made by another Juryman, John Davidson, was to the same effect. Another named Bernard MacHume, made an Affidavit to the same effect. He believed that the majority of the jury ruled the minority, and he never would have consented to a Verdict of Guilty if he had understood his real position as a Juryman. Another Affidavit from a Lower Canadian Juryman was substantially the same, except that he said further that he never had been on a Jury in his life before, and also, that he did not—and never would have consented to a Verdict of Guilty, if he had known his duty as a Juryman. From these Affidavits may be inferred—first, that if they are true, substantially no Verdict has been returned against Mr. Fellowes, because, the Verdict has been against law. No gentleman will contend that the finding of seven men amounts to a Verdict under our constitution. Secondly, if those Affidavits are false—was the House to keep men in prison on the finding of men, who did not hesitate to commit perjury—and who actually must have sworn falsely to put them there. He hoped that Hon. Gentlemen would deal leniently, and remit Mr. Fellowes sentence. Some time after his incarceration, he had himself seen Mr. Fellowes, and he could not harrow up the feelings of the House by describ-

ing his appearance, but he was sure that it would have drawn tears from the eyes of those who now opposed the motion. Again he hoped that mercy would be shown, and that, if Mr. Fellowes did not deserve it, yet that the House would not hesitate to extend its clemency to him.

Mr. ADAM WILSON having had the honor to have been employed by the Government in the prosecution which led to the conviction of Mr. Fellowes, would say a few words on the present occasion. As the motion at present stood, he could not support it. The motion was founded on the Affidavit alluded to. Any one acquainted with Courts of law must know that when once a Verdict is rendered, it is quite a common thing for Jurymen to come forward and make Affidavits regarding facts which no one, except themselves, believed themselves capable of making. But to speak more immediately concerning the matter in question—he believed and he had good ground for it, that on the trial in question there were eight or nine of the Jurymen who were ready to return a Verdict of Guilty before leaving the jury box—while only some two or three of them, moved by the impassioned address of Mr. Fellowes' were inclined to find him Not Guilty. Besides, those Affidavits have already been presented to the Court, and he believed that the Court was quite right in tetotally rejecting them—and the explanations then offered. Those affidavits, although on oath, were only *ex parte* statements—and, if received and acted upon, would be a dangerous example to the Courts of inferior jurisdiction throughout the whole country. He hoped therefore that the present motion would be rejected in the present shape, and indeed he believed that the objectionable part of it would be expunged by his Hon. friend.

Hon. Mr. CAMERON would certainly amend the motion to make it acceptable to the House.

Mr. WILSON continued. The only question to be decided then, was, whether the motion was expedient, not whether it was in the power of the House to do so—because it might be objected that, by exerting its power, the House would lessen the effect of the punishment attached to the crime. As a private individual, he was prepared at any moment to sign an address to his Excellency, the Governor General, to have Mr. Fellowes pardoned, and only as a member of the House did he hesitate to support the motion. However, there was one point that he wished to impress upon the House, and that was that he could never consent to vote for the motion at all, until he knew what was to become of Bedell the witness. He was the chief witness for the prosecution, and had been brought over from the United States, with a great deal of difficulty indeed. Every one would apprehend the difficulty with which he had been brought over, when he stated that Mr. Fellowes had, it was well known, information filled up, and Affidavits ready to be sworn to with him, so that the moment Bedell had given his evidence he could

have him arrested on the spot. And the worst part of the matter was, that Mr. Fellowes intended in the most unblushing manner to have Bedell arrested for no other charge than that of conspiracy. Before the trial it was found necessary to place Bedell under the protection of the Court—and since then he (Mr. W.) had to procure recognisances for his appearance to answer the charges preferred against him. Therefore, he (Mr. W.) would not vote for the motion before the House, until he first understood that Mr. Fellowes had abandoned his charges against Bedell. From correspondence with the Attorney General, he was led to believe that Bedell being a Crown witness could not be prosecuted. But he would require to be satisfied, and to see the recognisances given up. If there was to be a settlement let it be a general settlement all round. He had no idea that one party should be discharged, and that, thereupon, the other party should immediately become liable to prosecution. As to the reliability of Bedell's evidence, there could be little reason to doubt it. It was the same, delivered at the bar of the House, as in the jury box. It would seem that this man was not very learned, and that he looked upon the matter in which he was concerned, as a good joke, and not at all in the light of a serious offence. There was no good reason to doubt the evidence of this witness, and for this reason he (Mr. W.) thought that the Crown might very well give up their claim upon Bedell's sureties. To revert again to the motion. He must confess that he thought that the law had been satisfied. He had expressed this opinion out of the House, that three or six months were of no consequence, so far as the punishment was concerned. Mr. Fellowes had sustained an injury that he would not be able, perhaps, to recover during his life. His sufferings were, no doubt, acute—and doubtless he viewed his disgrace as his worst suffering. He had rather that the motion had not been made at all; but as it had been made, he would support it under the conditions set forth.

Hon. Mr. CAMERON in order to meet the views of Hon. gentlemen, would amend his motion as follows: "That an humble address be presented to His Excellency the Governor General, praying that he may be pleased to remit the remainder of the sentence of George Byron Lyon Fellowes, Martin Casselman, and John Saxon Casselman, now confined in the jail of Toronto, for the crime of conspiring to obtain the election of the said George Byron Lyon Fellowes, inasmuch as the law has been sufficiently vindicated by their conviction and the imprisonment which they have suffered."

Mr. BURWELL said, in his opinion this House should be more ready to sustain than to disturb the decisions of the Courts of Justice. If we had reason to be proud of any thing in the Province, it was of the purity of the Bench, and for one he held that the Judges balanced the scale of Justice equally. It was no doubt true that the House, if it thought proper could by its own act

supersede the decisions of the Judges, but this power should be, and he trusted would be exercised, with the very greatest caution. For his part, he considered it his duty to vote against the motion.

Dr. CONNOR considered the original motion as a most extraordinary one to bring into the House. After stating that five Jurymen, on oath, had declared that they had rendered their Verdict under a mistake, it prays that this House should pass an address to His Excellency asking him to exercise the prerogative of mercy, and to release Mr. Fellowes from imprisonment. This was a most singular position to take. He believed that it was a part of the duty of the Executive to advise the Governor General in all cases where it might be proper for him to exercise the prerogative, and therefore, it seemed very strange to him that it should be sought to remove the responsibility from them and to throw it upon the House. It was for the advisers of the Crown to assume a duty of this kind, and as had been intended by the member for Laprairie, it might be that the matter had been brought before the Executive before it came here. If the man were really kept in jail at the risk of his life, the subject might be deserving of consideration. Had such an application been made on behalf of a person who had never been a member of the House, for instance some poor and obscure man, the House would, no doubt, have asked for proof of the allegation respecting danger to his life; and he submitted that in this case such evidence was at least equally necessary. It was said that a Physician had been asked to give a certificate that Mr. Fellowes' life was in danger, but that he had refused; he was sure that if a petition had been circulated in Toronto, praying for his discharge, it would have been refused signature on all hands. He would oppose the motion on any form it might assume. Those who argued that there was danger to Mr. Fellowes' life were not justified in using the argument, nor were they justified in throwing out the insinuations that had been made against other Hon. members. He hoped Hon. members would consult their own dignity and that of the House, and always frown down any attempt at impairing its character. The conduct of Mr. Fellowes and his associates was nothing better than a conspiracy to induce perjury, and an audacious attempt to insult the House and usurp its privileges. Was it, he would ask, because he had taken his seat here and had made use of other men to accomplish his purposes, that he was to be treated with indulgence? Was it because that he himself had not taken the false oaths that were necessary to secure him that seat, that he was not guilty of the offence charged against him? On the contrary he was only the more guilty, for he led others to the commission of the gravest crimes. This House was in fact, called upon to act upon alleged facts supported by not a little evidence, and without the right explanation to say that the law was to be set aside, and to pray that His Excellency would discharge, from the penalties of his sentence, a

man who deserved all he suffered. The argument of his Hon. friend from Lambton, he considered most unsound, and he had brought only one precedent to sustain his motion, the only one he supposed which could be found in the history of the British Parliament; but he (Connor) did not know but that, in the case stated, sufficient grounds had been produced for the decision arrived at. Regarding Mr. Fellowes, we had him here in the House influencing an important decision by his own vote, and, in the face of papers, which were an insult to the House, sitting and voting for two years. It had been said that he had been advised by a high authority not to resign his seat (hear, hear.) and, though he hoped it was not true yet, it was well known that the statement had been made again and again in various forms.—However, Mr. Fellowes had sat in this house for two years, had influenced its decisions, and had aided in stopping enquiry into matters which required it. He had had a most fair trial; he had been tried in his own neighbourhood where he was known as a man of influence:—in fact as a Queen's Counsel. he had been personally present,—he had delayed the trial in order to obtain means of defence, and yet the Jury in a few minutes had pronounced him guilty. On what grounds then could this House interfere to abrogate the sentence? It could not be said that, for the grave offence he had committed, an imprisonment for six months, and a fine of £200 was a harsh or oppressive sentence. No one thought so. Where then, he would again ask, were the grounds for interference on the part of the House? He could see none whatever. How many poor wretches were there rotting in our prisons under heavier sentences for much smaller offences committed often under the pressure of poverty and misery, and yet did the House ever think of interfering to rescue them from the consequences of their own acts? Of course not. Was it then because Mr. Fellowes was or had been a man of means and position that this mercy was invoked? The offence was only the more heinous, and it was an insult to the House to ask his release. How could the House expect to preserve its lofty position and its dignity, if it granted such a motion when it was unsustained by a shred of argument. He did not care how the motion might be modified or what shape it took, he would vote against it, and would do so with a clear conscience. He had no feeling whatever against Mr. Fellowes, and, in voting to reject the motion, he only acted from a strong sense of duty to the interests of justice, and of the country.

Mr. Attorney General CARTIER—Mr. Speaker, I do not think that the Hon. gentleman, who has just sat down, ought to find fault with the Government in relation to this matter. I think the Hon. gentleman ought to have discussed the matter irrespective of what may be the opinion of the Government. The Honorable gentleman has correctly stated that, in the exercise of the Royal Prerogative of mercy, His Excellency the Governor General can, if he

thinks proper, apply to the members of his Council for advice. The Hon. gentleman has spoken as if the hon. member for Lambton was a Ministerial supporter, and as if the Government were privy to the motion. Now, the hon. gentleman is well aware that the Hon. member for Lambton does not only not sit at the Ministerial side of the House, but is altogether in opposition to the Government. The Honorable member for Lambton will, I am sure, exonerate the Government and every member of it from any collision with him in the matter, and testify that he is prompted to submit this resolution, of his own mere motion. The Government as a Government understand their position. We know that if at any time His Excellency calls upon us to advise him on the exercise of the Royal Prerogative in this case, we shall feel it our duty to tender him our advice. We shall examine all the papers and evidence which will be laid before us, and report, as to our judgment, may seem requisite. As regards the course taken by the Hon. member for Lambton, it is not for me to defend it. I may observe, however, that I do not see anything unusual in it. The same course is not without precedent. It has been adopted on many occasions, occasions which will be fresh in the recollection of the House. On many occasions has this House been asked to vote an address to His Excellency for the exercise of the Royal Prerogative, not only in the cases of persons condemned by the Courts of this Province, but in the cases of persons condemned by the Courts of other countries. (Hear, hear.) I remember in 1854 or 1855, perhaps it was in 1853, Mr. Mackenzie, then the Hon. member for Haldimand, moved an address for the exercise of the Royal Prerogative in the case of Mr. Smith O'Brien, and some one else. (Hear.)

Dr. CONNOR—It was a member of our own House that I spoke of.

Mr. Attorney General CARTIER—I understood the argument of the Hon. member for South Oxford, was that the course taken by the member for Lambton was unusual and unwarrantable,—in fact, that the House, ought not to move in such a matter.

Mr. FOLEY—That is the very ground the Attorney General took on the occasion to which he has referred.

Mr. W. F. POWELL—And the member for Waterloo took the opposite ground.

Mr. FOLEY—Certainly.

Mr. McGEE—There was no charge of fraud in that case.

Mr. FERGUSON—Only of treason.

Mr. Attorney General CARTIER—In reference to what has fallen from the Hon. member for Waterloo, I can truly say that if he will refer to the journals and to the reports of the speeches on that occasion, he will see if he is justified in the statement he has made. But I was quoting a precedent which does not date so many years back. There are several others with regard to parties condemned in Canada, for offences arising out of the disturbances of

1837 and 1838. Several times has the House passed Addresses in order that the Royal Prerogative may be extended to persons suffering under divers circumstances. And one of these Addresses received the sanction of the Imperial Government. I mention this, because it shows that the Hon. member for South Oxford is wrong in asserting that the proceeding is unusual and unwarranted. I presume that the hon. member for Lambton is mainly prompted in his action because he sees that there is some connection between the conviction of Mr. Fellowes and the other parties, and the proceedings of this House. No one can lose sight of this fact that the prosecution of Mr. Fellowes and the other parties was instituted by the Government in consequence of a resolution of this House. The Government acted as it was required, and the law of the land, the independence of election, and the independence and integrity of parliamentary liberty were sufficiently vindicated. This, then, I understand, is the position of the Hon. member for Lambton—he moves an Address praying that His Excellency will be pleased to remit the remainder of the sentence of the convicted parties. In this proceeding, as I have said, I see nothing extraordinary. It is a proceeding which every member of this House, if he chooses, can take. It is not an irrelevant proceeding as regards the prerogative—because His Excellency, in his exalted position, can receive Petitions or Addresses from any one in the community, or from any Corporation or public Body, or from either branch of the Legislature. With regard to the propriety of the action of the Hon. member for Lambton, every Hon. member could have his opinion. The Government, understanding their position, it was not their duty either to approve or resist it. Each member of the Government could have his own individual opinion. At this stage of the matter it was not necessary for them to offer an opinion.

Mr. McDUGALL said the case before the House was a very important one in a public point of view, and he was not aware that the House was constituted for the purpose of dealing with matters of a private and personal nature. It was not its province to occupy itself with considerations of charity, mercy, or benevolence to individuals, especially if they conflicted with public interests. The question to be considered was whether the passage of the motion would have a beneficial effect on the public mind, and would be conducive to public morality. It was for the House to consider whether acts of fraud and perjury, such as had been proved against Mr. Fellowes, were punished in excess by a fine of £200 and six months imprisonment. He did not believe the public thought the sentence exceeded the demerits of the case, and the public press of all opinions, had regarded it as but a moderate punishment. He had also had occasion to ascertain the opinion of his constituents, and they regarded it in the same light. Indeed, he believed he might say with perfect safety, that the general

belief was that the sentence was very merciful, considering the enormity of the offence. It was the boast of the mother country that the sword of justice fell with equal severity upon the high and the low. Such culprits as Sir John Dean Paul, found no more favour there than the most humble of the offenders against the laws. If the House interfered in this matter, it would be said, and very properly, that it was because Mr. Fellowes occupied a high social position, that his case had been thus treated. Indeed, the Hon. member for Lambton, had expressly put it on this ground, and had urged that the prospects of the offender would be much injured, if he were to be compelled to put in his full time in prison. Let the motion be granted, and it will be said that the House discriminates between culprits, and interferes to rescue those who happen to have held high positions, while the poor are left to their fate, and he need not say what the effect would be. Then it will be said that the motion was intended to cover other cases, and that perjury was sympathised with. It had been freely stated that persons high in office were implicated in this matter, and that Mr. Fellowes would have resigned his seat if he had not been advised to retain it. Let the motion pass, and it will be believed that it was to screen these high personages that the House interfered. He could not support the motion for another reason. The Attorney General had not given any assurance to the House that no further proceedings should be taken against the sureties for the appearance of the Crown witness, upon whom Mr. Fellowes was anxious to wreak his vengeance. No one believed that Bedell, a foreigner, and in a foreign country, would appear and answer the absurd charge of conspiracy, for which he had been arrested. Then it came to this: will the House liberate Mr. Fellowes, in order that he may prosecute the sureties, who, in the interest of public justice, came forward to protect the witness for the Crown? If he comes here asking mercy, he should abandon his vindictive prosecution of those whom the jury, the court, and the counsel for the Crown believed to be innocent. He did not see how hon. members on his side of the House could support the motion until they were assured that the recognizances for the appearance of Bedell were given up.

Mr. SIMPSON thought that much which had been said by Hon. members might have a bearing upon a question of general jail delivery, but had nothing to do with the question now before the House, which should be considered on its own merits. That question was, had the majesty of the law been vindicated? He thought it was, amply, as had been shewn by the Hon. member for North York (Mr. Adam Wilson,) in the judicious remarks made by him on the subject. The next question was, whether the House should interfere. It seemed the House of Commons had done so, in a somewhat similar case, cited by the Hon. member for Lambton (Mr. M. Cameron) and he could not

see the impropriety of this Assembly following the example. Members, in forming their judgement upon Mr. Fellowes' offence, should remember the saying that "in love," politics and war tricks are fair," and also that it is better to err on the side of mercy than of vengeance." As to the question which the member for North York had raised with reference to the Crown witness, Bedell, he could not see how the Government could interfere until the Courts of Law had disposed of the indictment now before them: and, with regard to the manner of accomplishing the object of the motion now before the House, whether by address or otherwise he considered it of little importance, if the purpose in view were effected.

Mr. BUREAU said if the question was one of pity, he, who had sat in this House with Mr. Fellowes, would have little hesitation in giving a vote in his favor. But it was a question as to the exercise of the prerogative of mercy, a prerogative which could at all times be exercised without the interference of Parliament. He did not see the object of the motion unless it was to exonerate the Executive, and relieve them of any responsibility they might incur by granting a pardon. Another reason for which he was opposed to the motion was that it did not appear Mr. Fellowes had himself applied for a remission of sentence. If their address passed, he might say that he had not applied to the Government, but that the House had taken up the matter for him, and re-affirmed its vote of last session, thus implying that the correctness of the verdict of the jury was not recognized. The real infamy did not attach to the time for which he might be incarcerated, but to the offence committed. He thought there was but one opinion as to the heinousness of the crime established by the evidence at the trial; and if Mr. Fellowes' health really suffered by imprisonment had he not the same right of petition as every other subject, and could he not apply to His Excellency for restoration to liberty, without the interference of this House. He (Mr. Bureau) considered that he would be wanting in his duty to the people of this Province if he voted for the address. The moral effect of such a proceeding would be bad, for it would be said that a political partizan who belonged to the majority might always, by one means or other, get a pardon for any offence he might commit. A system of this kind would be fatal to the administration of justice. There should be no repetition of what had taken place in the case of Mr. Mercer, who although proved guilty of contravening the law of the land, was taken under the protection of the Government, and shielded from the consequences of his offence. Public opinion condemned the Government, for their conduct in relation to Mr. Mercer, and he did not desire to see the House acting upon such a precedent as that case afforded.

Mr. Wm. POWELL was not second to any in his desire to see punished those who committed offences against the rights of the people, but he

regretted that the sense of justice, which was apparently so strong in many Hon. members, was not tinged with that most divine of all attributes—mercy. He would record his vote for the motion because he considered the manner in which the conviction in Mr. Fellowes' case had been arrived at, was not a legal one. There were the oaths of five of the Jury who tried the defendants, (and until shaken they were surely worthy of some consideration,) that they were not aware the law provided for unanimity in their verdict, and that they had convicted without knowing they did so. He had heard, in fact, that these Jurors were astonished at the result of their verdict. The course of defence pursued, too, was another cause of the result of the trial. After his counsel had separated his case from that of the other defendants, Mr. Fellowes, in a spirit of generosity, assumed an amount of responsibility that did not attach to him, and mixed himself too much up with Casselman. He took, however, a narrower ground than this, and that was, that even if the conviction were just and merited, the law was amply vindicated. The Hon. member for Grenville had said that no precedent could be found for an address of this kind, but, if he had turned to the Journals of 1856, he would have seen that the House had passed an address asking Her Majesty to grant an amnesty to William Smith O'Brien and John Frost, and that, amongst the yeas on that occasion were Messrs. Aikens, Foley and Gould. (Hear, hear.) The offence of those exiles was much greater than that of Mr. Fellowes; it involved treason to the Crown, an attempt to overthrow the Queen's Government. He was astonished at the remarks of the Hon. member for Grenville (Mr. Gowan); that is at his affecting to pity Mr. Fellowes. It struck him (Mr. Powell) that that Hon. member was only mocking at the unfortunate prisoner; his (Mr. Gowan's) was lip sympathy, and it would have been just as well to have restrained the expression of it. It had been demonstrated that both in England and here in the cases already referred to, Parliament had undertaken to represent certain parties fit subjects for the Royal clemency, and if the House were satisfied that, with reference to Mr. Fellowes, justice had been done, and a proper example made of the offenders, all the objects desired had been achieved, and there was no necessity for prolonging the period of imprisonment. The law does not seek vengeance, but by punishing the criminal, to deter others from crime. The Hon. member for South Oxford (Dr. Connor) who was returned by a majority of one, affected to be greatly shocked at the remark of the Hon. member for Lambton (Hon. Mr. Cameron,) that if a strict investigation as to election practices were gone into, few members of this House would come into it with clean skirts. If it was true that some members had spent as much as £2,000 or £3,000 in an election, and that that Hon. gentleman had himself expended £1,000, he need not cry out so very loudly. It was in degree that Mr. Fellowes' offence was different

from that of bribery. The member for the other Riding of Oxford (Mr. McDougall) had said that Mr. Fellowes was an accessory to perjury and forgery, but it was very doubtful whether there was any perjury committed. The Affidavit, as made by the Poll Clerk, was apparently made before Casselman, and he (Mr. Powell) did not believe it was ever sworn to. Mr. Casselman, of course, was guilty of attaching his name to it, without its being really sworn to, but that was not so bad as perjury. He did not seek to justify Mr. Fellowes' conduct, but he might say that these proceedings arose in some measure out of a system of lax morality, the growth of many years. Mr. Fellowes was the unfortunate victim, and the concentrated vengeance of the law should not fall on his head. His health was now injured, he was thoroughly crushed, deprived of position and character, and of all that rendered life dear or valuable. What could the House wish to see done to him? It had been alleged that the present application was not backed by petitions from out of doors. He (Mr. Powell) had heard that numerous petitions had been sent to the Executive on behalf of Mr. Fellowes, and he appealed to the Attorney General to corroborate this statement. He now held in his hand a telegram just received from Ottawa, stating that several petitions had been sent on to Quebec. He knew that in Ottawa, petitions had been signed by men of all classes and parties, one of them being headed with the signatures of the Mayor and Ex-Mayor of Ottawa and the Warden of the County of Carleton, and that in Toronto petitions were carried in the hands of two or three members of the Opposition. The House need not fear as to passing their Address. Public opinion felt that sufficient had already been done. The member for North York (Mr. Adam Wilson) had said he would have no objection to Mr. Fellowes obtaining his release, if he did not proceed against the Crown witness, Bedell: he (Mr. Powell) in a conversation which he had with Mr. Fellowes, in the jail at Toronto, learnt from that gentleman he was satisfied Bedell would not appear, and that he had determined, so far as he was concerned, not to prosecute those who became responsible for Bedell's appearance to take his trial. He might also state he was thoroughly convinced that the Attorney General, so far from giving any advice to Mr. Fellowes, of the nature hinted at by the Hon. member for North and South Oxford, had advised him in a directly opposite way. He (Mr. Powell) was present at an interview, when Mr. Fellowes was discussing his position, and when the Attorney General advised him to allow his case to go to an Election Committee to be decided on. He knew nothing, moreover, as to any letters having passed between the Attorney General and Mr. Fellowes. From the fact of his representing a neighboring constituency to that which Mr. Fellowes represented, he

took more interest in the matter than perhaps other Hon. members. He hoped the House would record its views on the question, free from party feeling or any attempt to make political capital out of the discussion. The motion had been brought forward by a prominent member of the Opposition, and should be voted upon irrespective of party considerations. His constituency being, as he had said, adjacent to the one which had suffered through Mr. Fellowes' conduct, he would be amenable to a stronger public opinion than many other Hon. members, yet he was prepared for the consequences, and to give to the unfortunate criminal, now confined in a dungeon, his liberty; which was all that could now be restored to a man who had lost his professional standing, character, and all that was valuable to him as a man.

The House then divided. YEAS.—58; NAYS 34.

FISHING STATIONS.

Mr. CIMON moved an Address for a detailed Statement of the several fishing stations leased by the Government, under the provisions of the Fishery Act, of 1853, on the North and South Shores of the St. Lawrence, including the rivers, with the name of the lessee, the price paid for each of the stations, and the quantity of fish taken by several of the lessees." Carried.

FREE GRANTS OF LAND.

Mr. BUREAU moved an Address to His Excellency, for a "Statement of the Free Grants of Land, out of the Public Domain, which have been made in Upper and Lower Canada, since 1st January, 1856, giving the names of the persons to whom the Grants have been made." He said that when he had given notice of the motion, the Report of the Commissioner of Crown Lands had not yet appeared, and that he saw in it with great pleasure, a mention of the gratuitous distribution of wild Lands in great quantity. This proved that an endeavor has been made to encourage colonization. (Hear, hear.) In Upper Canada, 333 farms of 100 acres had been given away,—but in Lower Canada only 179. He however, wished for a rather more detailed report, especially as regarded Lower Canada, and this was what he was moving for, in order that people, who wished to settle on wild lands, might have a means of knowing what lands were disposable in the various townships.

M. BOURASSA moved, in amendment, to add to the returns a statement (1st) of the county in which each free grant was, (2nd) of the number of acres in each, (3rd) what the settlers had to pay for their location tickets, whether to the Government or the Agents, and (4th) if any free grants have been refused to any one, and why, and to whom, and where.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Monday, March 5, 1860.

FREE GRANTS OF LAND.

(Concluded from our last No.)

Hon. Mr. CARTIER suggested to the Hon. member that he should also ask on what roads the free grants have been made—for if there had been more given away in Upper than in Lower Canada, it must be owing to the greater number of free grant lines of road in that part of the Province, where the survey of such lines of communication had been sooner commenced.

COMMISSIONERS' COURTS, L. C.

Mr. BEAUBIEN enquired of Ministers, whether they intend, during the present Session, to bring down any measure for the abolition of the Commissioners' Courts in Lower Canada, as the complete operation of the new Judicial system furnishes to the House, and to the Government, the opportunity, without inconvenience to the public, of placing within the jurisdiction of better qualified Judges, all Judicial business which may arise in the new districts."

Attorney General CARTIER replied in the negative.

ENLARGEMENT OF THE CANALS.

Mr. McMICKEN enquired of Ministers, whether they have decided upon the propriety of recommending an immediate enlargement of the Provincial Canals to meet the growing exigencies of Trade and Commerce.

Hon. Mr. Rose replied that great diversity of opinion prevailed as to whether the falling off of the traffic was due to the small size of the Welland and St. Lawrence Canals, or to the increased facilities for transport to New York via Buffalo, Dunkirk, &c. Many vessels engaged in the grain trade were too large to pass through the Welland Canal, and he would mention that full information on the subject would

be found in the Report, now being printed. It was very difficult to form correct views on this subject, but the information necessary would soon be in the hands of members, as, during the recess, many valuable statistics had been published, respecting the present course of trade and its future tendencies. (Hear.)

TIMBER LICENSES.

Mr. HEATH moved an address for a Return showing the amount of monies received by the Government, for timber dues collected for timbers or logs on lands, cut, sold, located or occupied by settlers in the County of Ottawa, specifying the Lot, Concession and Township where such timber was cut, when, and by whom the timber dues were paid, and what amount, if any, is still due, and since when.—Carried.

APPOINTMENT OF COMMITTEES.

Hon. Mr. CARTIER moved for leave to name a Committee for the appointment of standing Committees.

Hon. Mr. BROWN objected to the composition of the Committee as proposed by the mover, alleging that two of the gentlemen named viz., Hon. Messrs. Dorion, and J. S. McDonald, were absent, so that while eight of the thirteen were supporters of the Government, only three would represent the Opposition.

Hon. Mr. CARTIER said that the Committee was precisely the same as last year with the exception of two on his side of the House, which were replaced by other two, but he was willing to name the Hon. Mr. Thibaudeau and Doctor Conroy, on the Opposition side, in lieu of the absent members.

Mr. WHITE suggested it would be better for the House itself to name the Committee.

After some conversation the Speaker decided upon adopting that method, and the following gentlemen were chosen:—Hon. Messrs. Cartier, Attorney-General McDonald, Brown, Foley, D. A. McDonald, Bureau, Carling, Simard, Turcotte, Simpson, McMicken, Ferris, and Loranger.

THE CONSOLIDATED STATUTES.

Dr. CONNOR moved, seconded by Mr. Mowat, that the Clerk of the House be instructed to obtain from the proper officers.—1st. a return of the total number of copies of the Consolidated Statutes of Canada and Upper Canada, respectively received by Government, from the Queen's Printer, and the manner in which they were distributed:—2nd. a statement of the amounts paid by Government or any, Provincial Department, to the Queen's Printer for printing the said Consolidated Statutes, and for copies of the same, respectively:—3rd. a statement of the cost per volume of the said Consolidated Statutes of Canada and Upper Canada, respectively, in case 3,000 copies of each were printed in English at the prices for composition, press-work, and binding, now paid for printing the Journals of this House. The mover said he believed an estimate of the cost would show that the Consolidated Statutes could be furnished to the public at the rate of to the public at the rate of \$4 per volume, and leave a sufficient margin of profit. It was certainly desirable that, if possible, the volumes should be furnished at a price which would enable not only the Magistrates, but every lawyer student at law, or any other person, to obtain them.

The motion was carried.

OTTAWA SHIP CANAL.

Mr. POWELL moved an address for a report on the survey, ordered with the intention of ascertaining the practicability of connecting Lake Huron with the St. Lawrence.

Hon. Mr. ROSE replied that the report had been received, and there was no objection to supplying this information. The estimated cost of the Canal of 12 feet depth, was \$12,969,000, and the canal navigation would be something like 48 or 50 miles. The survey showed that, by the present route by Welland, the distance was 1,279 miles, and by the Ottawa 976 miles.—Carried.

The House then adjourned.

LEGISLATIVE COUNCIL.

Tuesday, 6th March, 1860.

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

RETURNS, &c.

Hon. Mr. SPEAKER laid before the Council the accounts of the House from 1st May to 31st December, 1859. He informed the House that the Commissioner appointed for the examination of witnesses, on the trial of the petition complaining of an undue election for the Electoral Division of Alma, had returned a copy of the minutes of his proceedings and report, and that he (Hon. Mr. Speaker) had issued his mandate for the re-assembling of the Committee, on Thursday, the 15th instant, at 11 o'clock, a.m., to take the same into consideration. Also, that a

return had been received from the Commissioners as to the Saurel Election, and that the Committee would meet on the 22nd instant, at 11 o'clock. And that, the Commissioner appointed as to the Montarville Election having refused to execute the Commission, the Committee moved re-assembling on Monday the 19th inst., to take his proceedings and return into consideration. A letter, Hon. Mr. Speaker stated, had been received by the Clerk from the Provincial Secretary, in relation to the allowance of the Act for the relief of John McLean, reserved last session for Her Majesty's assent.

OCEAN MAIL STEAMERS.

Hon. Mr. VANKOUGHNET presented a message on the subject of the Imperial subsidies to the Atlantic Mail Steamers, and the claims of Canada in connexion therewith, had in pursuance of the Address of both Houses, to Her Majesty, in relation thereto; also three messages on the subject of the arrangement for the transport of the French, Belgian, and United States mails between Europe and America by the Canadian line of steamships.

CONTINGENT EXPENSES OF THE HOUSE.

Sir E. P. TACHE, seconded by Hon. Mr. BOULTON, moved, that the statement of the Clerk's disbursements and vouchers be referred to the select Committee on Accounts.—Carried.

Sir E. P. TACHE, seconded by Hon. Mr. BOULTON, moved, that an address be presented to His Excellency, praying that a warrant be issued, in favour of the Clerk of this House, for \$12,000, to meet the contingent expenses, and to be accounted for hereafter.

COURT OF CHANCERY.

Hon. Mr. CAMPBELL seconded by Hon. Mr. ALEXANDER, moved that an humble Address be presented to His Excellency the Governor General, praying that His Excellency would be pleased to cause to be laid before this House, a return of all cases in the Court of Chancery, for Upper Canada, standing for judgment on the 31st of December, A. D. 1859, with the dates when the same cases were argued, and of all judgments which have been given in the said Court during the year ending on that day; and whether such judgments were delivered in open Court, or communicated through the Registrar, and if through that officer, the dates when such judgments were in any way connected therewith.

Hon. Mr. VANKOUGHNET said there was no objection to the motion.

Address ordered.

COMMITTEE ON BANKING.

Hon. Mr. CAMPBELL, seconded by Hon. Mr. ALLAN, moved that a select Committee be appointed to whom all Bills on the subject of Banking be referred.—Carried.

CONSTITUTIONAL CHANGES.

Hon. Mr. CHRISTIE asked that the consideration of the Hon. Mr. Morris' resolutions of the notice paper for to-day, be deferred to the 17th inst.—Granted.

MILITIA OFFICER'S HALF PAY.

Sir E. P. TACHE enquired of the ministry whether any answer has been received to the Address of the 15th of April last, presented by both Houses, praying Her Majesty to extend the Royal Bounty of Half-pay to Militia Officers who served in the War of 1812, and who have not yet participated in the said Royal bounty.

Hon. Mr. VANKOUGHNET said an answer had been received, and was contained in the Message which he now delivered.

The message was read by the Clerk as follows:

The Governor General transmits for the information of the Honorable the Legislative Council, a copy of a dispatch from the Secretary of State in answer to the joint address of last session to Her Majesty, praying for the extension of the Royal Bounty of Half-pay to officers of Militia who served in the War of 1812.

GOVERNMENT HOUSE. }
 Quebec, 5th March, 1860. } Downing Street
 No 26. } 22 Aug. 1860.

Sir,—I have had the honour to receive and lay before the Queen, the Joint address from the Legislative Council and Assembly of Canada, to Her Majesty praying that the survivors of the F. & C. Companies, and embodied Militia who served during the War of 1812, may receive the same Royal Bounty of Half-pay as has been already bestowed upon the incorporated Militia of Upper Canada who were embodied in 1813

You will inform the respective Houses of the Canadian Parliament that the Her Majesty has received their address very graciously.

You will add that, without for a moment detracting from the services of the officers who so conspicuously distinguished themselves in the numerous engagements of the period referred to, I have found it impossible to advise her Majesty to comply with the terms of the holders, as the recognition of claims so remote as the present, would lead to consequences which would be seriously embarrassing to the public service.

I have &c.,
 NEWCASTLE.

The Right Honorable

Sir E. W. HEAD, Bart.

P. S. I have to request that you will inform Mr. Merritt that I have only received his letter dated the 30th July last, on this subject, and that you will communicate to him the decision of Her Majesty's Government contained in this dispatch.

GROWING TIMBER.

Hon. Mr. ALLAN, seconded by Hon. Mr. KIERSKOWSKI, moved for leave to introduce a Bill intitled "An Act for the protection of Growing Timber." Leave was given, and the Bill was read a first time; second reading on Friday next.

MUNICIPAL DEBENTURES.

Hon. Mr. ALEXANDER moved that the order for the second reading of his Bill to restrain the issuing of Municipal Debentures be discharged; and that the same be fixed for to-morrow. Granted.

PARLIAMENTARY LIBRARY.

A message was received from the Legislative Assembly, by Messrs. Turcotte and Langevin, as to the appointment, by that House, of a Library Committee.

Hon. Mr. VANKOUGHNET, seconded by Hon. Mr. KNOWLTON, moved that Hon. Messrs. Moore, Allan, Kierskowski, Laterriere and the mover, be members of the Joint Committee of both Houses for the regulation and management of the Parliamentary Library.—Carried. The House then adjourned.

LEGISLATIVE ASSEMBLY.

Tuesday, March 6, 1860.

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

THE MUNICIPALITY LAW OF LOWER CANADA.

Hon. M. CARTIER said he had given notice some days ago, that he would introduce a bill to Cosolidate the Municipal Law of Lower Canada. The measure which he was about to bring before the House, was nearly the same as that which was introduced last session, and he had the honor to inform the House, that as soon as possible after the prorogation, communications were sent to all the Municipalities, all the Municipal Councils, whether of Counties, or Townships, with a copy of the Bill in both languages, and an invitation to send to His Excellency, through the Hon'ble Provincial Secretary, any observations they might make thereon. He (Mr. Cartier) had had the pleasure of seeing, by correspondence, that suggestions had been made by the Municipal Councils, and he was also happy to say that they were not very numerous. Another source of pride to him was, that he was able to state that the Municipal system was working well, in Lower Canada. (Hear.) He was glad to say this, because Lower Canadians had been much calumniated on this subject. It had been stated in the newspapers that they were unfit for free institutions, because they could not work their municipal system. Now, he could affirm, it was working perfectly well. (Hear.) It was one of the principal institutions of Lower Canada. It was intimately connected with their Parliamentary system. (Hear.) The Hon. member for Toronto seemed to think it wrong that His Excellency had congratulated the House in his speech, on his having received suggestions concerning it. Now he (Mr. Cartier) thought this was a very fair subject of congratulation, for it proved his case, that the Councils understood what they were about. (Hear.) Last year, Hon. members would remember, he had brought forward a bill for the consolidation of the municipal laws. It had gone through its second reading, and then during the recess, according to his expressed intention, it had been sent to the municipalities. Now, he intended, after it had gone through its

second reading, to send it to a select committee, which would, of course, be composed of representatives from Lower Canadian constituencies, who took an interest in municipal affairs. To this committee the bill, and the suggestions which had been received, would be referred. (Hear.) With these observations, he begged leave to introduce the "Bill to consolidate the Statutes relative to Municipalities and Roads in Lower Canada."

Leave granted. Second reading on Friday next.

THE CANADIAN LINE OF STEAMERS.

The Hon. POSTMASTER GENERAL, on rising to move that Mr. Speaker do leave the chair on Friday next, for the House to go into Committee of the Whole on certain resolutions relative to an additional Postal subsidy to the Canadian Steamers, said:—Mr. Speaker: I think I may congratulate the House that there is a question of so much public importance before it, that all parties ought to approach it calmly and dispassionately. It is due from all sides of the House to view it favorably; and, in making what remarks I think necessary on the subject, I have no very difficult duty to perform. Before proceeding, Sir, I shall take the liberty of stating, as briefly as I can, the position of the question, so far as it is affected by subsidies granted to our own line of steamers, as well as to the line subsidized by the British Government. If Hon. members will take the trouble to refer to the report of the committee of the House in 1858, they will find that, by the unanimous decision of that committee, it is there stated that a large proportion of the direct debt of Canada has been incurred in the construction of public works, considered of great utility, both as regards the trade of this country and the trade of the great West. About seven millions of pounds have been thus expended; and there was a time when those works were comparatively productive; or, it was supposed they would become so. It is unquestionably the fact, however, that a large proportion of the trade of the country—a proportion, as a half million is to six millions and a half—has been diverted from our own public works, upon which so much money was expended—through the public works, railroads and canals of the United States—into the ports of New York and Boston. It is stated in this report, by the committee, that unquestionably that result has followed the granting of large subsidies to steamers plying between Liverpool and the ports of Boston and New York. Therefore, in connection with the subject, it is necessary that I should inform the House what amount of subsidies is paid, and to what lines of steamers, and in what manner the Province of Canada has been treated by the mother country, and how its interests have been regarded. I have stated, sir, that the trade of the country has been diverted—and I stated it upon the authority of that report—in the proportion of thirteen to one; that

the imports into Canada by the United States railways and canals amounted to... \$28,000,000 While the imports through the Canadian Public Works amounted to

only.....	\$ 13,000
But, Sir, as a better evidence of the evil effect of such large subsidies paid to lines of steamers plying to Boston and New York, have had upon the interests of this country, I may state that the emigration to Quebec.....	
in 1844, was.....	20,000
in 1847,.....	90,000
in the succeeding three years it fell off, and in 1850, was only.....	32,292
while in New York,—in the year of 1847, the emigration was....	80,000
and in the year 1851, it was.	331,276

And, Sir, the report of the committee is well sustained, and the fact is beyond a question, when it is proved, as I shall state it shortly, upon unquestionable authority, that in 1837 the Cunard line was first subsidised by the British Government, for running to the ports of New York and Boston.

In 1837, when that service commenced, the emigration to the St. Lawrence was...	90,000
while to New York it was.....	80,000

In the following three years emigration by the St. Lawrence Route had decreased.....	33,000
whilst that directed to New York had increased to.....	331,000

The course of emigration having been diverted, as it seems to me, from the St. Lawrence Ports to the American ports, altogether from the operation of the service of the Cunard line of steamers.

As regards the trade and the passenger travel, I think we can have no better evidence of the evil effects produced upon the country and its interests, than the granting of subsidies to those ships. The first Cunard contract was entered into on the 4th of May, 1839, and the service commenced in July, 1840. The contract was for a semi-weekly service in summer and a monthly service in winter, and the subsidy was 55,000 sterling. They were to ply to Halifax and Boston, and to run a branch to Quebec, thus establishing communication by British steamers with all the Colonies in America. The contract was for twenty voyages for three ships of 1,200 tons burden, and 300 horse power. Two months after the subsidy was increased to £60,000 sterling, and the contract was for four steamers. In 1841, the contract was again changed, for five steamers, which were to make twenty voyages between April and November, and weekly voyages in December, January, February and March. The subsidy was then increased to £80,000 sterling. In 1845, there was a new contract made, and the subsidy was increased to £90,000 sterling, £5,000 being deducted for the abandonment of the Canadian branch. It was asserted at the time the line was established, that the object was to connect the Empire with its dependencies in America, yet, in 1845, the Canadian branch was entirely abandoned, excepting the land service from

Halifax to Quebec, which occupied a much longer time than is occupied now between Liverpool and Halifax; so that at that time, so far as the object for which the line was ostensibly established, the policy of the British Government seems to have been entirely changed, and Canada, at all events, left to shift for herself. In 1846, within one year, or a little more, a new contract was again entered into with the Cunard Company for a weekly service to Boston and New York. For the Boston service there was granted £85,000 sterling, and for the New York service, £60,000, together with £40,000 for coal, forming a total subsidy of £185,000. Besides this, £30 was paid for each Government passenger to Halifax, and £34 for each one to New York, the object, it would seem, being to encourage passengers to go to New York, rather than to the British Colonies. That contract should have expired in 1862, but, contrary to an express pledge, as I am prepared to show by incontestible evidence, it was renewed on the 24th June, 1858, to expire in 1867. If Honorable gentlemen will refer to the evidence of Hon. Mr. Rose, at page 19, they will find the answer of the Colonial Secretary to a despatch of His Excellency, in reference to the postal arrangements of the country, on the subject of the Canadian Line. He informs the Governor General that after communication with the Lords Commissioners of the Treasury, he was apprised that the existing arrangement with regard to the Canadian service continued until Mr. Cunard's contract expired, when he thought a more beneficial arrangement might be made. That was in December, 1850, and Mr. Cunard's contract would have expired in 1862, but, without any notice whatever, a new contract was entered into by the Cunard Company, for the maintenance of the line, with a subsidy of 200,000 sterling, and the time extended from 1862 to 1867. But it was not alone in the contract with the Cunard company that Canada was unfairly treated by the British Government. About the same time they contracted with what is called the Galway line for services, for which a subsidy of £70,000 sterling was granted. But there is no use now in complaining of what has been done; there is no use in sitting down and giving up hope. It is almost enough to stagger the most determined among us to find that we are placed almost in hostility to the policy of the British Government, in regard to lines of steamers. We find that Government sustained the Cunard line with large subsidies; that, after an express understanding to the contrary, their contract was renewed for a longer time. Not only was that done, but another line hostile to it, and running in direct opposition, was largely subsidised. It is almost enough to discourage even those who are most anxious for the prosperity of our line. But it does not become this Legislature—and I know the people of the country would not support them if it did—to sit quietly down and allow the battle to go entirely against us, without at least a struggle to maintain our position. In 1856 the first contract was entered

into by the Montreal Ocean Steamship Company for a steam communication between Liverpool and the ports of the St. Lawrence in the Summer, and Liverpool, and the Eastern terminus of the Grand Trunk Railway, in Winter. Before I speak further of that, however, I will, with the permission of the House, give them the figures, as to the subsidies paid by the Imperial Government to others:

First contract } with Cunard } line was at	Rate per annum.	Average for Outward and Return Trip.
	£60,000	26 days, 12 hours.
Second do.	80,000	26 " 3 "
Third do.	85,000	25 " 10 "
Fourth do.	180,000	23 " 21 "
Fifth, and last contract,	200,000	11 " 13 "

this last average being that of the time occupied on the trips westward, in 1859.

As compared with the time occupied by the Canadian Line, it will be perceived, when I state what that time has been, that there is a considerable difference in favor of our own steamers. The lowest average occupied by the Canadian Line in the performance of its outward and return trips was 23 days, 21 hours; the lowest by the Canadian Line was 22 days, 10 hours, making considerably over a day's difference in favor of the Canadian Steamers. Now, Sir, the following are the subsidies paid at present to the principal lines of Ocean Steamers:

Cunard Line, 52 weekly trips, at a mileage rate of 11s. 3d. stg.	£200,000 stg.
Australian Line, 12 trips a year, at a mileage rate of 18s. 7d. stg.	188,000 "
Mediterranean Line, 24 trips a year, at a mileage rate of 6s.	244,000 "
Canadian Line, for this year, 52 trips a year,.....
at a mileage rate of 3s.	45,000 "

Thus it will be seen that every other line is receiving at least twice as much per mile, as the Canadian Packets. The American Government at one time paid larger subsidies to their lines of steamers, as the following statement will shew:

Collins Line, 26 trips a year.....	\$858,000
Vanderbilt Line, 20 trips a year.....	385,000
Bremen " 12 "	128,000
Havre " 13 "	88,000
Aspinwall " 24 "	290,000
Pacific, " 24 "	348,000

When the subsidy to the Collins Line was withdrawn, the company succumbed.

The first contract with the Canadian Line was made in 1856, for the performance of 19 voyages during the year, 14 to Quebec and five to Portland. The subsidy granted was £24,000 sterling. Four ships were to be placed upon the line of 1,750 tons burden. We all know how the service was performed; the time made in 1856 was superior to the time made by the Cunard line, with the very large subsidy that they were enjoying. The new contract with the Canadian Company provided that there should be 5 vessels of 1,750 tons burden and four new ships of 2,000 tons. They were to make 28 voyages to Quebec

in Summer and 24 to Portland in Winter. The subsidy was £44,000 sterling, commencing on the first of May, 1850.

The total number of passengers carried by the Canadian line in 1857, was..... 6685
do in 1858, 6996
do in 1859, 6991

The total number of passengers carried by the Canadian line in 1857, was 6,685. In 1858 6,996. In 1859, 6,991. From various causes which Hon. members will readily understand, from the depression of trade and the stagnation of business, the number of passengers carried outwards, in 1859, amounted to only 3,150, and 3,841 inwards; in all, not quite so many as were carried by the fortnightly line in 1857.

Freight carried in 1856..... 9,000
do in 1857..... 11,000
do in 1858..... 11,000

Now, Sir, when I moved in the House last year to adopt an address to the Imperial Government in regard to subsidies to the Canadian Line, there was exception taken to it; it was said that it would be absurd and ridiculous to ask the British Government to grant a subsidy to this line, because the policy of Great Britain was a free-trade policy, and granting subsidies was contrary to such a policy. But of this we are assured—that while Great Britain adopted the principle of free-trade in allowing breadstuffs, &c., to come into the country, and while she desired to facilitate the exportation of manufactures from her country, she has at the same time placed, hand in hand with that policy, the policy of sustaining lines of steamers to all ports of the world, by which freights would be reduced and her trade and commerce increased. But whether that be the effect or not, when we see that the line which was established to improve the communication between Great Britain and her American colonies, has been virtually, though not ostensibly abandoned; when lines are being largely subsidised to direct the current of passengers and trade from our own ports to the ports of another country; when we see so clearly that the result of granting those subsidies has been to direct trade from our Province; when it is still asserted and maintained that this line was subsidised for the purpose of improving the communication of Great Britain with her colonies in America;—it certainly does not appear, that we should be right, if we say that we cannot and ought not to look to Great Britain for a subsidy to our line of ships. (Cheers) We see that it is necessary; we know that, as long as the Collins' line received a subsidy, that line sustained itself, but when the subsidy was withdrawn, the vessels were taken off and employed in a different trade. We have the fact that other lines have attempted to sustain themselves and have failed, and, if we expect the maintenance of our line, we have this fact clearly demonstrated—that, unless we are prepared to put our shoulders to the wheel—to do by our line of steamers as is done by the British Government for their lines, our enterprise must be

abandoned, and we will be neither more nor less than a laughing-stock for the whole world. (Applause.) I will now, Mr. Speaker, shortly state to the House, the result of the working of the Canadian line of Steamers for 1859. There was invested in those ships, and in other matters connected with them, the sum of £618,000, stg., and the expenses incurred for the 37 voyages which had been made, amounted to..... £230,802

The receipts of those voyages were..... £146,952 leaving a balance of..... £83,850 against the company. There are yet to be performed fifteen voyages, in order to complete the year's services, on which a proportionate loss, of say £30,000, must also be expected, which, it was calculated would cause the total loss to amount to..... £113,850 From this, however, must be deducted the sum of..... £45,000

The present subsidy to the Company; and the balance would represent the true loss in that particular. Wear and tear, and interest on the sum invested in the undertaking, however, must also be taken into consideration; 6 per cent. interest on the amount invested, would be..... £37,080

While the wear and tear, which at least, represented 12 per cent., would be little less than..... 77,250

Which, being added together, would show a further loss to the contractor of..... 114,330 Making a total loss of..... 183,180

The question, as it stands at present, is happily easy of solution. If the Government were called to provide for a large sum to keep the line going, I confess that I would not undertake to provide it. But fortunately the contractor does not ask it. Hoping that the stagnation which followed the crisis of 1857 was passed;—that business was improving and would continue to improve—the contractors look forward to a return of better times, and do not ask the Province to indemnify them for their losses. They only ask for such a subsidy as would actually keep them from being out of pocket. It is proposed to increase the subsidy to £104,000 currency, which will be an increase of £45,000 sterling on the sum already voted. To revert to another branch of the subject. In 1856, when the present line was first established, the British Government would not allow letters to be carried by our line at all. In 1857, a concession was made, and our ships were allowed to carry letters, which were specially addressed to go by their route. In that year the line earned some £3,000 sterling. In 1858, another concession was made, and, after the most extraordinary difficulty with the British Post-Office, it was finally conceded that all Canadian letters, mailed before the starting of the Ca-

nadian Steamer, should be carried by our line: by this means the line earned £5,000 in post-ages. By an arrangement made in 1858, the Canadian Steamers were allowed to carry mails for the United States, and, as a result, the line earned upwards of \$14,000 for ocean postages, this revenue being, of course, in addition to that accruing from the ordinary Canadian mails. Again, when the Canadian Government attempted, in 1858, to negotiate with the British Post-Office, as to the carrying of the mail in our line of steamers to Portland, they refused to allow us to charge the same low rates as we charged by our line—for the reason, no doubt, that it would interfere with the Cunard line. The British Post-Office compelled the Canadian Department to adopt 8d. stg. as the rate per half ounce for Ocean postage on letters to be carried by Canadian Steamers, between Great Britain and the United States, although the ordinary Ocean rate per Canadian Packet was 4d stg. per half ounce only. They insisted moreover, originally, that the amount of increase on the ordinary rate, *i. e.* the additional 4d. should be equally divided between the United Kingdom, the United States and Canada, although, as it will be seen, the Ocean conveyance would be solely performed by this Province. Afterwards, however, through the intervention of our Minister of Finance, at the time in England, Canada was allowed to retain the entirety of this postage rate. It is also here worthy of note that, in 1856, the sum which the Canadian Government was called to repay to England for British postage, on letters carried by Cunard steamers between this Province and England, including American transit charge, for conveyance over American Territory, amounted to no less than £23,000 sterling, a sum which would now, of course, be diverted by our Canadian line, and be a direct source of revenue to the Province. At first some difficulty arose between our Government, and that of the United States—regarding the postage on letters sent from Canada to Portland; the United States Government looking to us for postage for the Canadian mail, transported through their territory to our steamers at Portland. Our Government protested against this transit charge, as we did not think it right. According to the recent arrangements, however, this difficulty is also disposed of. During the past Summer, Mr. Allan made application to the Government for assistance, and an arrangement was made to pay over to him the Ocean postage earned by his Steamers—only, however, on the understanding that this arrangement should be submitted to and approved of by this House. The arrangement alluded to will, however, under the proposed measure of assistance, be abandoned altogether. Mr. Allan now asks for an increase in the amount of his subsidy. Mr. Allan feels, and we all feel, that our line of steamers has a claim upon the British Government for support for many reasons. Yet there was a marked contrast between the manner in which the British Government treated us and that in which

the United States Government met us. It was stated by the Admiralty, on the occasion of the giving of the contract to the Cunard line of steamers, that it was necessary to do so in order to keep up the superiority of the English steamers, and also to keep up a communication with the British Colonies abroad. We are in a fair position to look to England for a subsidy, if our own means are insufficient: I have also to thank the United States Government for the handsome manner in which they have treated—I will not say myself—but the people of the Province. The authorities there were quite ready and desirous to enter into the proposed arrangements. The whole conduct of the authorities at Washington showed a marked contrast to the manner in which the Province had been treated on the other side of the Atlantic. This contrast could not be more fully exemplified than by the following letters from England.

No 32,796.

GENERAL POST-OFFICE, LONDON,
7th October, 1859.

Sir,—

I have received and laid before the Post-Master-General your letter of the 1st ultimo, explaining, with reference to mine of the 12th of August, the circumstances under which the arrangement, laid down in your letter of the 6th of July, 1857, and assented to by this office, has, in some instances, been departed from, with respect to the mail despatched from Montreal for transmission by the British contract packets, and from Kingston and Toronto, for transmission by the Canadian contract packets.

With respect to the first mentioned mails, it appears from your letter that the earlier despatch of them during the winter and spring (*i. e.* Mondays instead of Tuesdays,) was rendered necessary by the arrangement of the railway trains which arrangements being influenced by the duration of day-light, do not admit, in the winter months, of the mails being despatched from Montreal on the appointed days.

His Lordship, however, desires me to draw your attention to the circumstance that, although the second semi-monthly despatch from Montreal by British packet, in May last, was made on the proper day, Tuesday, the first two weekly despatches in June, were made on Monday. The Post-Master General is at a loss to understand how, if it were practicable to despatch a mail by British Packet, on the proper day, in the middle of the month of May; it became impracticable to do so with the first two mails for transmission by British packet made up in the month of June.

In regard to the despatch of mails by Canadian Packet, the Postmaster General observes that the summer arrangements to which you advert, and under which the mails, for transmission by Canadian packet, have been made up at Kingston, and Toronto; on Friday, commenced this year with the first mail despatched in the month of May; while, on the other hand, the (summer arrangements) securing to this Department the despatch of mails from

Montreal by British packet on Tuesdays, does not appear to have come into continuous operation until the 3d despatch, in the month of June.

The Postmaster General has no doubt that these apparent discrepancies are susceptible of a sufficient explanation; but, at the same time, the interests of the Imperial Revenue, and the convenience of the public, require that he should specially draw your attention to them.

It would be satisfactory to this department, if some definite time were laid down for the duration of the summer and winter services, provided the arrangements between your office and the railway companies, over whose lines the mails in question are conveyed, will admit of this being done. It may also be desirable, if the changes you describe in the land-service should prove permanent, to reconsider the day appointed for the despatch of the Canadian packets.

I am,

Sir,

Your most obedient servant,

ROWLAND HILL.

The Postmaster General, Quebec.

[COPY.]

Registered, No. 871, K.

GENERAL POST OFFICE.

LONDON, 12th August, 1859.

Sir,—

I am directed by the Postmaster General to request your attention to certain alterations which appear to have taken place in the arrangements for despatching the mails for England from some of the exchanging offices, since those arrangements were agreed upon by the two offices, in August, 1857.

In your letter of the 6th July, 1857, you gave a schedule of the days on which the English mails were to be closed at each of the Exchange Offices, and, according to that list, the mails from Montreal, intended to be conveyed by the Cunard Mail Packets, were appointed to be made up on Tuesdays. On looking over, however, a return of the Mails exchanged with Canada during the month of June last, the Postmaster General perceives that only on two occasions out of four, in that month, were mails from Montreal actually made up on Tuesdays; on the other two occasions they were made up on Monday.

The list further stated that the mails for transmission by the Canadian Mail Packets would be made up at Kingston and Toronto on Thursday; but, by the return alluded to, it appears that, throughout the month of June, they were actually made up in those cities on Fridays.

As all these alterations have the effect of reducing the interval between the despatch of the mails to be conveyed by Canadian Mail Packets, and of those to be conveyed by Cunard Packets, (in some cases to a single working day in addition to Sunday) and are consequently prejudicial to the interests of the *British Postal Revenue, and to the convenience of the public, which*

of course, will be consulted by making the intervals between the several despatches as nearly as possible equal, the Postmaster General has desired me to request that you will be good enough to inform him under what circumstances they have been made, and whether, if the understanding come to in 1857 cannot be maintained, the schedule submitted in your letter of July, of that year, should not be modified throughout.

I am,

Sir,

Your most obedient servant,

R. HILL,

W. H. GRIFFIN, Esq.,

D. P. M. Gen'l, Toronto.

These came just at the time that the arrangements were being completed at Washington, and it was thought necessary that some one should proceed to England to see that, if the days of sailing of the ships were changed, they should not be changed in such a way that the interests of the Canadian public shall suffer. Compare the statements made in those letters with the statements of the Postmaster-General of the United States! I can mention that the Canadian mail has often been in Montreal the same day as the Cunard one, which was despatched from England four days before, so that it cannot be said for an instant that the wish of the British Government to facilitate the despatch of mail between Great Britain and her Colonies, has been carried out.

HON. MR. BROWN—Has it often happened that the Canadian mail by our steamers has been in Canadian cities before, or as soon as that by the Cunard liners, which sailed four days previously?

HON. MR. SMITH—Repeatedly.

HON. MR. BROWN—Hear, hear.

HON. MR. SMITH—The Cunard ships, moreover, which sail on Wednesdays, were generally telegraphed in England on the Monday morning—except the *Persia*, which often arrived on Saturday. The Canadian ships which sail on Saturdays, are invariably telegraphed at Queenstown on the Tuesday morning. (Hear.) Thus, on the western voyage, our ships gained, in reality, four days; on the Eastern they gained two. (Hear.) The arrangements made at Washington are in print, and Hon. members can examine them, and, if any point is not understood, I shall be happy to explain it. I think it can be proved that the best interests of the country have been consulted. (Hear.) I will now allude to the letter of Mr. King, the assistant P. M. G. of the United States, and remark that, although it has always been the object of this Legislature to demonstrate the superiority of the St. Lawrence route over all others for the transmission of correspondence and freight from Europe to the Western State of America, and *vice versa*, never before now has this been acknowledged by any Government or any people outside this Province. However, in this letter, the case is stated broadly by the Government of the United States. Mr. King says, writing to the Post-Master General of England—"I have the honour, by direc-

tion of the Postmaster General, to inform you, that an arrangement has been concluded between this department and the General Post Office of the Province of Canada, for the transmission of United States Mail from Detroit to Liverpool, and from Liverpool to Detroit, over the Grand Trunk Railway of Canada, and by the Canadian Mail Packets plying in summer between Quebec and Riviere-du-Loup and Liverpool, and in winter between Portland and Liverpool, *whereby the United States and British Mails from and for the Western, North-western, and it is believed, the South-western States, embracing all points, West and North, and North-west of Chicago and Detroit, will be greatly expedited as compared with the present routes of transmission through this Country to New-York or Boston.*" It will perhaps excite a smile when I allude to a paragraph in the evidence given by Mr. Rose before the House of Commons Committee, in contrast to this. It will be seen, on page 9, of his printed evidence, that Mr. Hope asked him "when you say the 'Canadian line,' who works it, and is it working now?" This Mr. Hope, would it be thought, was a member of the late Administration of Great Britain, which renewed the Cunard contract and granted a subsidy to the Galway line. He seems to have been perfectly astonished to find there was such a line as ours in existence. (Laughter.) I have, however, found the same ignorance prevailing throughout other parts of Europe. They seemed neither to know nor to wish to know of any other line than the Cunard. (Hear.) I will now state to the House, what they may not have gathered from the correspondence, that is, that, on my arrival in England, I found that to carry out the *quasi* threat alluded to, an arrangement had been made for the Cunard ships to call at Queenstown, and thus obtain the mails of another day, leaving our line only those of Monday and Tuesday. To meet that, the permission of the Government that was given that our ships should also call at Queenstown, during the winter; and thus the Canadian line obtained this advantage, that they touched there every week, whereas the Cunarders only did so every fort-night, we thus securing the mails from Saturday to Wednesday. This, however, was found not to suit the Imperial Treasury, and an arrangement was made by which the Cunard boats also will call at Queenstown every week after April next. With the exception of the disaster to the Hungarian the new service has been performed in a most satisfactory manner, and I found when I returned to Washington, I was able to negotiate there with much greater facility than before. (Hear.) I will next state that, if the House is disposed to sustain this great enterprise, it will have to be arranged that the ships shall touch at some part in the north of Ireland, there to land and receive their mails and passengers. We have the sanction of the United States to the arrangement, and our ships will perform the voyage from the port which may be determined upon to the coast of America within six days. By these means we shall not run so directly in hostility

to the Cunard boats; we will avoid the hostility of the Inman Line; and, instead of having only a winter arrangement, we shall have a permanent port of call for our ships, both in summer and winter, thus giving to the public confidence in the permanence of the line. This will also be an advantage in the gaining of time, and it is in proposition also to make this still further manifest by extending a line of telegraph to the Straits of Belle Isle, so that the people on this continent may communicate with any part of the other within six days. The whole of Scotland will be better suited by the alteration, as steamers from Glasgow will be able to take the mails over to the port that may be determined on in a very short time, instead of their going round, as at present, by Liverpool, Holyhead, and Dublin. The north of England will also be better accommodated, and the greater part of Ireland too. Passengers will be enabled in all cases to remain one day longer on shore than they can now, and only have one day less at sea. (Hear.) In connection with this arrangement, the proprietors of the line intend immediately to contract for two ships of larger capacity, greater power, and consequently greater speed than any they now possess. Speed, I say, must be obtained, although the statement may startle the House and the country, coming so shortly after the melancholy loss of the Hungarian. I maintain maintain, however, that speed is not inconsistent with safety, and must be had. As to the recent disaster why, I say, that, knowing the ship and knowing the captain well, I have no doubt nor hesitation in asserting, that the fault was not with either the one or the other, but that the loss arose from causes beyond the control of man. (Hear.) The proprietors of the line lose too much by such accidents, not to enjoin prudence on their employees. They lost £10,000 by the *Indian*, £20,000 more by the *Hungarian*. If such losses would not make them prudent, what would? Yet they say with me, that speed is not inconsistent with safety. When the two new steamers are built, there will be eight ships, being one to spare in case of any casualty, or to lie by for repairs. The service would in this way be better performed. [Hear.] Now, I will inform the House that during the past season, arrangements have been made by which increased communication will be had with New Brunswick. The Commissioner of Public Works has been pushing on the road from the Eastern terminus of the Grand Trunk railway at Riviere du Loup, to the New Brunswick frontier. On the New Brunswick side, there is a road made by the Government of that Province said to be the best in America. By June next our part of that line of communication will be finished. Then we shall look for an increase of postal patronage from that sister Colony, which has already sent mails by our ships from Portland, the people of New Brunswick will be led to seek the St. Lawrence still more as their best route for communication with Europe, and a greatly increased trade be-

tween the two Provinces is likely to result. [Hear, hear.] Sir, I look forward to the day when, if this line is maintained in its integrity, we shall not only have all the correspondence of the Great Western States, and of the Sister Province of New Brunswick, but the correspondence of the whole Eastern world.

Mr. BROWN have you made an estimate of the revenue to be derived from the new arrangements?

Hon. Mr. SMITH I will come to that point presently. It may excite a smile, when I say I look forward with the confident hope of seeing, at no distant day, a railway communication from the Atlantic to the Pacific. (Hear, hear.) If Canada is unable to undertake that enterprise—if the British people are so blind to their own interests, that they will not undertake it—we may be certain that the American people will undertake it. (Hear, hear.) But whether it be constructed through British or American territory, there is no doubt of this fact, that the St. Lawrence route affords the greatest advantages, both for the trade and correspondence from the Pacific to the British Isles, and to other parts of Europe, and that it is the route through which that commerce and correspondence must pass. We must, therefore, be prepared to do the business. All the traffic arising from the extension of railway communication westward or to the north, or to the south, centres at Chicago, and Chicago would be the feeder to our railways, and to our public works of every kind, to an extent which, at the present time, we could hardly estimate. To show the advantages to ourselves of the Canadian route, under present circumstances, I need only mention that we are saving, at this moment, no less than £20,000 a year—more than that sum having formerly been paid to the British Government for the transmission of our letters by the Cunard line. Instead of paying that large sum for the service, we only pay now somewhere about £1,000.—Other savings have been effected in the Post Office Department by the arrangements which have recently been made. We were under liability to pay an inland rate on Canadian letters passing through the United States, amounting in the whole to £2,500 a year. By the arrangement made at Washington in October last, that sum is saved to us. Putting these two sums together, and adding £45,000, the sum which we expect to receive from the United States Government, it will at once be seen that, even with the proposed additional subsidy, we are in a better financial position now, than we were before the new arrangements were made.

Hon. Mr. FOLEY—Is the new arrangement to involve no additional expenditure

Hon. Mr. SMITH—Simply this—there will be a mail clerk on each ship, at a salary not exceeding £150. The total number of mail clerks will be six, and not sixteen, as had been reported. It was now proposed to have faster and larger ships, and of course ships of greater power, and further to construct a line telegraph to Belle Isle. The objects contemplated were

two-fold, first to attract correspondence from all parts of Europe, and secondly, to increase the facilities of communication. If this were done, it was probable that other countries would take advantage of the telegraph, and if they did so, they would in all probability take advantage also of our greater postal facilities, and, as a consequence, of our ocean line for passage and freight. If the telegraph was constructed, there would be communication between Europe and this country in six days, and if any disasters should happen on our coast to merchant vessels, intelligence would be received at the various stations which would be created along the shore, and relief would be so much more speedily afforded. In this way, valuable cargoes might be saved, and the unfortunate mariners would be succored more promptly than could otherwise be done. The commerce could not fail to be greatly benefited by the enterprise, and in various other undeveloped ways it would operate to the advantage of the country. Government would reserve to itself the right to have its correspondence transmitted free, and would stipulate for preference in the transmission of important telegraphic messages.

Hon. Mr. BROWN—How?

Hon. POSTMASTER GENERAL—Why, for instance, if Russia desired to correspond with Canada, that correspondence would be brought without cost.

Hon. Mr. BROWN—And would such correspondence have a preference over that of the British Government?

Hon. POSTMASTER GENERAL—The British Government would, of course, have preference over all Foreign Governments. The telegraph would be submarine, and the cost of the cable for 600 miles would be £60,000, which with the freight, the insurance, and the cost of laying, would engross, it was computed, £100,000. The Atlantic telegraph cable had cost on land £100 per mile, as he learned from a communication just received from Mr. Field. The lowest tender that had been offered was £60 per mile, without freight or any other expenses, and it was to be granted for one year. Whenever the line paid the stockholders 8 per cent., the allowance from Government would cease, and it was also proposed that if an Atlantic line were successfully laid and worked, the allowance would stop, for, in that case, it was quite certain ours would abundantly sustain itself.

Hon. Mr. BROWN—What was the extent of the proposed grant?

Hon. POSTMASTER GENERAL—It was stated in the resolution the amount was \$10,000 per annum to the telegraph, and \$8,000 per trip to the steamers. He would now call the attention of the House to the report of the Committee of the House in 1858, in which it was stated that, by our route, communication could be established between Liverpool and Chicago in twelve days, and he was now happy to say that these anticipations had been fully realised, for the United States mails from Chicago had been placed in less than twelve days in London—not

Liverpool, although there had been long delays at Montreal and Island Pond, and the steamer had been detained off Liverpool for want of a pilot for several hours.

Hon. Mr. BROWN—Had such despatch ever been known before?

Hon. POSTMASTER GENERAL—Never. The usual time from Chicago, by New York, to Liverpool, was fifteen days, and sometimes more. I might amuse the House with the state of our postal operations twenty years ago, when sixty days were required to cross the Atlantic, and 6s. 6d an ounce was charged for postage on letters. This compared singularly with the rapidity of transport, and the 6d rate at this day.—Toronto was now within about ten days of England. Mr. Speaker, I desire to impress upon the House that these important results were brought about by a Government, whom it has pleased some people to abuse without mercy, and to charge with all sorts of corruption and misdoings [hear, hear] when it is shown, as it will be shown by my Hon. friend, the Minister of Finance, that these advantages have been secured without the cost of one penny extra to the Province, I believe, the people will say, that if the Government be bad, they have at any rate tried to do some good, and have actually done a good deal. [The Postmaster-General here read from papers of 1829, and succeeding years, to show that the latest dates from New York to England, were of two, and more than two months back, this being in proof of his allegations as to the progress that had been made.] I will now endeavor to give some brief account of my proceedings on the continent of Europe. When I had completed the arrangements in London which I had proposed, I was detained there some time waiting for my Hon. friend the Minister of Finance, who was expected. I did not wish to assume the responsibility of proceeding to make proposals to the Continental Governments without conferring with him. After consultation, it was agreed that I should pursue my plan, and I must here take occasion to say that I was greatly assisted in my purposes by the kindness, courtesy, and consideration of the nobleman who presides over the destinies of the Province, and who takes so lively an interest in everything that relates to its welfare—I mean the Duke of Newcastle. Through his intervention my way was made easy to the several Governments I visited and from whom I experienced the utmost attention. I went first to Belgium, and there I found they were as ignorant of the fact that we had a line of Ocean Steamers of our own, and of course of its performances, as some officials had exhibited in England; but when the advantages of the route had been pointed out to that Government, they showed an immediate readiness to avail themselves of the facilities it offered. In Prussia I met with precisely similar feelings, and they too, consented at once to use the line. In Paris I found the authorities quite well acquainted with our country, and extremely desirous of affording all the help they could, and to give us the largest possible benefits they

had to bestow in connection with their postal relations. The correspondence that passed on this subject between the French Government and our own, will show how anxious they were to establish a good understanding with us, and for my part, I think we are greatly indebted to them for their kind consideration. But I cannot omit saying that objections were made by the British Post Office—I do not mean by the Head of the Department, but by others to our carrying the French mails; after a time, however, the objections were withdrawn, as the correspondence shows. These mails came first by the steamer of the 25th January, the steamer by which I returned to Canada. I wish now to call the attention of the Hon. member for Toronto to a question he proposed to me last Session as to the gross amount of Ocean postage. The whole sum is \$1,338,449. The portion earned by British ships \$805, 629.62, nearly two-thirds of the whole;—by all other vessels—\$484,668.54. or about one-third.

Hon. Mr. BROWN—Then it appears that, in fact, the British Government pay nothing for their lines.

Hon. POSTMASTER GENERAL.—Apparently not, and if we now get \$100,000 out of this sum from the Americans, we ought to get \$200,000 out of the share of the British Government. With the many advantages we possess, such as smooth water for a good part of the way, a shorter route, and, as a consequence a shorter time in the passage, we must, in the end succeed in demonstrating to the most determined adversaries of the St. Lawrence, that we can and that we will attract the bulk of the correspondence, the travel and the freight of Europe and the Great West through Canada. The Anglo-Saxon which sailed on Sunday last, not having been able to get ready on Saturday—brought larger mails than any previous vessel on the line, and took back a fair number of passengers, which shows that the late deplorable accident has not by any means produced the doubts on the public mind, as to the safety of the line, which some newspaper writers imagined would follow. Such accidents do not necessarily produce such results, when proofs of good management and good ships exist as they do in this case. Why, there was a dreadful wreck recently on the coast of Newfoundland of one of the Lever line, but the Prince Albert which sailed shortly afterwards took nearly 400 passengers. If this House and the country will show their approbation of and confidence in our line, I am certain it will accomplish for us all I have predicted, and I have no hesitation in saying that both the Company and their ships deserve our best and most unlimited confidence. There are no better steamers in the world; I say this advisedly, and I know it to be true, and I will add, that though the Company should lose another vessel, it would in no wise shake my confidence in them. Public confidence may have been slightly weakened, but it will soon be re-established.

Hon. Mr. BROWN—For how many years is the proposed contract to last?

Hon. POSTMASTER GENERAL—Until the Cunard and Lever contracts expire in 1867. The real question was whether the route of the St. Lawrence, which was confessedly, and out of all comparison the best, was to be rendered nugatory by artificial stimulants applied in other directions? I hold that, if we place our line upon as good a footing as other lines, we must, in time, take the lead, and succeed in making it the favourite, for we have natural advantages which it is impossible to take from us, or to compete against on equal terms. Trade will flow through its natural channels, and it rests with us to bring out and make known that we possess them. The last sums we paid for letters transmitted by the Cunard Line, was £80 for a month, hereafter, I think, that we will not pay a larger sum. I have no hesitation in saying that letters are rather delayed than forwarded by those boats, and it is pleasant to know that the £23,000 a year, which we used to pay for postage by them, is reduced to £1000. Indeed, the mail matter, now sent by those vessels from Canada, is so trifling, that I do not think it will be necessary hereafter to send clerks in charge of the mails. I have now endeavoured to give as much information to the House as possible, and will therefore move that on Friday next, the House do resolve itself into a Committee to consider the Resolutions, and, as it is important that a decision should be arrived at at an early day, I trust that Hon. members will not prevent this *pro forma* proceeding, but will, if they think it necessary to debate the matter at length, reserve their remarks until the Speaker resumes the Chair.

Mr. BROWN said it was unnecessary for the Postmaster General to apologize for having occupied so much time in bringing this matter before the House, for every one must admit that it is a subject of the highest importance, and worthy the best attention of the House. (Hear, hear.) I shall not now follow the Hon. gentleman through the long and elaborate statement he has presented; and for its fullness the House is certainly indebted to him. I rise more for the purpose of pointing out how necessary it is that the House should have the whole facts thoroughly before it, ere we are asked to vote away the large additional sum, to which the Government propose we shall pledge this country. I have no doubt the Hon. gentleman is perfectly satisfied the figures he has put before us are correct, and that he believes his calculations will be fully realized. At the same time it is quite obvious that he might be greatly disappointed in his calculations; and, if this should happen—if the House was induced to agree to the proposition on estimates which proved erroneous,—the evil would be beyond recall, and the Hon. gentleman would have cause to feel that he had rashly assumed far too great a responsibility. I think

he should desire the whole House to understand the matter in all its bearings from the start. I think the Hon. gentleman should move for a Special Committee, composed of members from both sides of the House, who will get before them the Proprietors of the line, and obtain from them accurate statements, shewing the exact position of the enterprise now, its prospects in the future, whether this amount proposed to be given them will really serve the purpose contemplated, and whether the calculations of the Postmaster General are likely to be realized, or to what extent they are doubtful. From the statements of the Hon. gentleman, it appears that the amount of annual income necessary to maintain the line, and to provide for interest, tear and wear, &c., is £450,000, sterling; now it is very obvious that the whole amount received for postage will form but a small item in this large amount of required revenue. Steamboats are not run for postal purposes. They must have freight and passengers and the question for us to decide is, whether such revenue can probably be obtained by this line from freight and passengers, as, with the postage added, will maintain it. (Hear, hear.) I am prepared to say, so far as I am concerned that I believe the line has been productive of great benefit to Canada; that it is a credit to the Province, and that it has been conducted in an admirable manner, and I am clearly of opinion that reasonable sacrifice ought to be made by the Province to maintain the line. (Cheers.) But there is a limit to the advantage which can result from this, or any other enterprise, and there is a limit to our own ability to sustain every good enterprise. The sum which it would be wise to spend on the line is a subject of grave consideration. If the matter is fairly gone into; if the whole facts are brought out before a committee, and it is shown that a reasonable amount of aid will maintain the line, while otherwise it must go down, then I will be prepared to grant such a subsidy, as I believe the finances of the Province will warrant. It is not enough that the Postmaster General should read from a paper, that this and that is the fact. I question not the Hon. gentleman's sincerity, but I do not think the House ought to pledge itself to grant such a sum as this, in the present state of the public finances, on the mere *ipse dixit* of the Postmaster General. The Postmaster General remarked that speed, in disposing of this matter, is of great consequence. I admit this; the fact that the Government have been compelled to make the preliminary arrangements which have been explained, shows that no time should be lost. And if the Postmaster General will move a committee, he will find that no delay will be caused. The committee can meet at once. The number of persons to be examined will not be great. Mr. Hugh Allan can give full information from the point of view of the Company; and the Postmaster General, and

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Tuesday, March 6, 1860.

CANADIAN OCEAN STEAMERS.

Concluded from our last No.

the Minister of Finance, can give such information as is desirable from the point of view of the Government. I believe it will be possible to have the whole case brought out and understood, at one or two meetings. I trust the Hon. gentleman will consent to this course. I do not make the suggestion in any hostile spirit to his motion, but if he does not consent, I may be compelled to move an amendment. I do entreat the House, after the experience we have had, during the last five or six years, of being led on from point to point into expenditures which the revenues of the Province could not sustain and which many who voted for them have had cause deeply to regret—not to consent to any increase of the burdens on the people unless we know particularly the whole facts of the case. I am surprised that the Minister of Finance, who has control over these matters, could expect that the House would consent to this proposition upon a mere statement from the Treasury Benches. The Government may be satisfied that their proposition is a correct one, but we must be satisfied also. We are commencing a new session, and I trust we will also commence a new system of dealing with matters of finance. There are several points of great interest, suggested by the speech of the Postmaster General. I shall not, however, detain the House now on these points, but shall leave them for remarks at a future stage. One thing, however, in the Hon. gentleman's speech, I did regret very much, and that was the unhappy spirit in which he seems to have returned from Europe. I had almost said raving against the Imperial Government. Really, to hear a Minister of the Crown make such broad and severe attacks on the Imperial authorities

is shocking to British feelings; (laughter) and if the Hon. gentleman deemed it necessary to indulge in such remarks, he might, at least, have spared us those disparaging contrasts with other Governments. I really hope the bad feeling which the Hon. gentleman talked of as universal in this country towards the Government, did not extend to the Court of St. James, and that the Hon. gentleman is not venting on us his pent up griefs at his English reception.

Mr. SMITH—I did not complain of the British Government at all.

Mr. BROWN—Perhaps the Hon. gentleman did not intend to do so, but I rather think he did.

Mr. SMITH—I only spoke of the Post-office Department.

Mr. BROWN—Ah! yes—when you said Government, I observed the Attorney General several times suggest the convenient word "Department" instead of Government, and you adopted it; but the other came too often and too naturally to leave room for doubt. If such language had come from this side of the House, what a storm would have been raised! But I shall say no more about this, hoping the Hon. gentleman will learn to amend his sentiments and his language towards the British Government, at the same time that he studies the lesson in Parliamentary procedure, read him by my Hon. friend, the member for North Ontario. (Laughter.)

Hon. Attorney Gen. CARTIER said he wished to say, in reply to the Hon. member for Toronto, that he did not conceive his Hon. friend the Postmaster General was in error in the course which he had taken. The Hon. gentleman had remarked that this was a matter of such importance that it was important that a committee should be appointed in order to investigate the details spoken of by the Postmaster General, and inquire whether the additional subsidy was really required. Now he (the Attorney General) must say, at the outset, that Government was not disposed to allow to a committee the privi-

lege of initiating a measure affecting the public exchequer. It was the duty of the Government to initiate measures of this kind—to them attached the responsibility of going so. They understood their obligation to the country and to the House, and it rested with his Hon. friend to satisfy the House that his measure ought to be supported. In this, as in every other matter, the Government would afford to Hon. gentlemen on both sides of the House every explanation which was desired. But he (the Attorney General) must warn Hon. gentlemen that he could not accede to the suggestion of the Hon. member for Toronto, that a committee should be appointed to investigate whether an additional subsidy should be granted. The government were of opinion that it should be granted, and they took the responsibility of recommending it to the House. They believed the exchequer could bear it.

Mr. GOWAN regretted the remarks made by the Hon. Attorney General on this question; they were of a nature well calculated to cause the overthrow of any Government. Was it not true that the Hon. Mr. Rose, Chief Commissioner of Public Works, had given evidence before the Committee of the House of Commons, framed for the special purpose of enquiring into the question of the subsidies given by the Imperial Government to Ocean mail steamers; and was the House to be told by the Ministry of this country that it was derogatory to their power, influence, or standing, to be subjected to the same responsibility in these matters as the Ministry in England? He trusted the observations of the Hon. Attorney General were hastily delivered, and that, on due reflection, he would see how imprudent they were. As to himself, there was no vote which he (Mr. Gowan) should give during the course of the session, that he would give more cordially than that in favour of an increased subsidy to the Canadian Steamship Company. He fully concurred in the eulogy that had been pronounced upon their enterprise, but Hon. members had to satisfy those who sent them to Parliament, that, in voting for the increased taxation which this grant would necessitate, they had sufficient grounds to justify them. To what end would it be to go to their constituents, and say that, because the Postmaster General declared an increased subsidy was needed, they had voted for it? He did not, for a moment, mean to impugn the statements of the Hon. Postmaster General; undoubtedly not; but he wanted such evidence before the House as would justify Hon. Members in the eyes of their constituents. He warned the Government that, to secure a cordial vote for an increased subsidy to the Company—which had conferred the greatest possible benefit on the country, and whose efforts were deserving of the greatest credit—the proper evidence must be laid before the House.

Hon. Mr. BROWN said that if the Govern-

ment were determined to persist in the present motion, to test the opinion of the House, he would, seconded by Hon. Mr. Foley, move in amendment, "That the Resolution be not referred to a Committee of the Whole on Friday, but that it be referred forthwith to a Select Committee of nine members to inquire and report, for the information of this House, as to the position and prospects of the said line of Steamships and the increased advantage to be derived from an increase of the subsidy now granted to the said line, the said Committee to have power to send for persons and papers."

Hon. Mr. SICOTTE thought the Hon. member for Toronto would, on consideration, see that his motion was not in favour of the maintenance of this line of Steamships, for which he appeared so warm an advocate. He agreed with that Hon. member that the House ought not to grant an increased subsidy before facts shewing the necessity for it were fully made out, in order that every member who gave his vote might do so with a full knowledge of all the circumstances. But the Hon. member ought to know that, according to Parliamentary doctrine, his amendment implied that it was the opinion of this House no greater subsidy ought to be granted. The going into committee ought not to be opposed by any party in favour of granting an increased subsidy if it were found such subsidy was necessary. By going into committee the House did not divest itself of the right of inquiring into the subject, as a Committee of the Whole, and though the appointment of a Select Committee was perhaps preferable, it should be borne in mind that this might take place after the House had been in Committee of the Whole, as well as before it. The Hon. member for Toronto, by his amendment, was putting down the idea that a greater subsidy ought to be granted, although he spoke strongly in favor of the maintenance of the Line,—his motion was equivalent to a declaration that the House at present was not prepared to agree that a greater subsidy was required.

Hon. Mr. BROWN—That is precisely what is meant.

Hon. Mr. SICOTTE considered it appeared from the explanations of the Postmaster General and other information before the House, that the present subsidy was not sufficient to maintain a weekly Line, and that if the country were really anxious to secure the benefits and advantages of such a line, it must be prepared to make greater sacrifices. The amount to be added to the subsidy must, of course, depend upon the facts to be found; and he was ready to sustain the Hon. member for Toronto in demanding that those facts be proved in the most satisfactory manner. The statements made to the Postmaster General would probably be repeated before the Select Committee. The House might take it for granted, indeed, that the same parties would give evidence before the Select Committee as

furnished the Postmaster General with his information, and that they would adhere to what they had told him. It could not be supposed the Company would make false statements to the Postmaster General about their affairs, or advance anything which they were not ready to prove if required; if they did, they would be undeserving of any assistance. The Hon. member for Toronto ought not to insist upon his motion in its present shape; he might put it as a distinct motion, and not as one which had the effect, if passed, of expressing the opinion of the House as adverse to any further grant to the Ocean Steamship Company.

Hon. Mr. FOLEY did not put the same construction upon the amendment of the Hon. member for Toronto, as the Hon. member for St. Hyacinthe. He and members on his side of the House were as ready as those on the Ministerial side to grant all needful aid for the sustenance of the line. He proceeded to say that he thought the motion of the Hon. member for Toronto was couched in anything but a hostile spirit, and he thought Hon. gentlemen might very well have granted at once what it was agreed on all hands, would have to be granted at some period of the Session. The Hon. Attorney General's objection to the suggestion of the Hon. member, viz., that it would interfere with the right of the Government to initiate money votes, was, he thought, of little weight; for the proposition was merely to inquire into the facts on which the Government proposed the money vote. The warmth on the part of the Hon. Attorney General was entirely out of place; he seemed to forget the rights of and courtesy due to Hon. members of the Opposition. He [Mr. Foley] thought the amendment was perfectly appropriate, nay, even peculiarly so, for the Postmaster General, in throwing upon the House the responsibility of action in the matter, had paved the way for it, and it became the House to see that the figures given were correct, that the facts stated were accurate, so as to discover whether it would be justified in making the appropriation. (Hear.) Men of all sections and parties, in all parts of the country, had the same interest in the success of the Canadian line of steamers. Propositions made in behalf of the line had hitherto had the unanimous support of both sides of the House. But now, an enquiry was imperative. Last year, £45,000 was considered a sufficient subsidy.

Hon. Mr. SMITH.—No, he had urged an application to the Imperial Government for a subsidy.

Hon. Mr. FOLEY—And he stood in precisely the same position now. (Hear.) He, (Mr. Foley) however, wished to know the facts, to justify himself before his constituents in voting so large a sum as £104,000. He was not prepared to say that it was required, neither was he prepared to say that it was not required, for almost any means were justifiable for the purpose of keeping

up a line of steamers of the performances of which he, as well as every man in the country, must feel proud, which he considered had added much to the credit, the profit, the fame, the honor, and the interest of Canada. (Hear, hear.) He would say that he had not the slightest suspicion that the statements made were at all incorrect, there was not a breath of suspicion against the conductors of the line, who had, at all times, but especially now, great responsibility on their shoulders. (Hear.) He would suggest therefore, that the hon. member for Toronto should withdraw his motion, for the sake of advancing the resolutions a stage, and that then the Attorney General should consent to the appointment of a Committee. He would not at this time, say much in criticism of the speech of the Hon. Postmaster General, although that Minister had met with such adulation in the Ministerial Press, and had spoken just now in such terms of his own deeds that one would fancy him to be a second Christopher Columbus, or, that he had, at least, built the lines of steamers and of railways by which the mails was conveyed. [Laughter] One would almost have fancied that he had constructed the railroads from his own means! What was the fact? He had found many hundred miles of railway just finished, affording facilities for carrying the European mails which had not hitherto existed. If he had not taken advantage of this in the way he now spoke of, he would have been a recreant to his duty, remiss in its performance. The real credit of the matter was due to the projectors of the Grand Trunk Railway and of the Ocean Steam line—the Government—whom hon. gentlemen opposite had supplanted, and whom they had ever bitterly opposed.

Atty. Gen. MACDONALD—The Brown-Dorion. (Laughter.)

Mr. FOLEY—No; not the Brown-Dorion, but the Government which the Hon. Attorney General West had before his bargain and sale to Mr. Hincks, declared "to be steeped to the lips in corruption," and which he ever afterwards so affectionately revered and remembered. (Laughter.) The case was just similar to that which Mr. Brydges had suggested that the United States should be applied to, for their own benefit, to send their mails over the newly finished Great Western line. But he would not enter further into this subject now, as a further and more fitting opportunity would offer at a future stage of the Resolutions.

Hon. Atty. Gen. MACDONALD was very glad that the Hon. gentleman had the intention of telling some wholesome truths—the only pity was that he did not bring out some of them in Toronto, when the Address, where they were so scarce, was being prepared. (Laughter) The Hon. gentleman asserted that he was desirous of giving the Postmaster General due credit for what he had done; yet he ended by giving him no credit at all. (Laughter.) He (Atty.

Gen. Macdonald) was quite sure the Hon. member would have made an excellent Postmaster General, but as it was, the honor of making these arrangements had fallen on the shoulders of his successor. (Laughter.)

Hon. Mr. FOLEY—The Hon. gentleman himself (not Mr. Smith) was my successor. (Great Laughter.)

Hon. Atty. Gen. MACDONALD—But really, putting all *badinage* aside, he was very glad to find the liberal feeling shown on both sides of the House, towards the Canadian line of steamers, and was sure the regret was sincere which all manifested at the recent loss of one of the ships of the best of Atlantic Steam lines. As to the Committee which it was proposed should be appointed, he quite agreed with the Hon. member for St. Hyacinthe, who said that Ministers should be allowed to act upon their own responsibility. To the Hon. member for North Leeds he might say that the case of the Special Committee struck in England to investigate postal contracts was not at all identical—the Cunard contracts, the Calais and Dover contract, and the Galway contract were all awarded by the Government on their own responsibility, and the Committee only sat after the fact, and after a charge had been made that the last named was given for corrupt purposes, to secure votes in the House of Commons. [Hear.] In the present case, there was a distinct money proposition, and the way it was brought forward was quite constitutional—indeed the only constitutional way of doing it—and none could vote against it on this reading and for the committee who did not think that no case at all had been made out, and that were consequently neither prepared to listen to nor to discuss it. By the course which it was proposed to follow, the House did not lose its control of the matter. The Postmaster General only asked for a postponement.

Hon. Mr. BROWN—The point is, are we to pass the money on the verbal statement of the Attorney General, or are we to have a Select Committee.

Hon. Mr. MACDONALD—Either the House must say that there will be no subsidy, or else the original motion must be allowed. The House had the same power when in Committee of the Whole that a Special Committee had.

Hon. Mr. BROWN—But will it exercise that power?

Hon. Mr. MACDONALD—The House has the power of causing the committee to rise until any desired information is given. Every way the motion of the Hon. Gentleman (Mr. Brown) is viewed, it is only an obstruction. Let that Hon. gentleman take time and examine the evidence which the Postmaster-General has laid before the House in his speech, and he (Mr. Macdonald) felt satisfied that he would be of a different opinion to what he was at present. Of course that Hon. gentleman and every member in the House had

a right to all the information possible on the subject, and, no doubt, the fullest information had been and would be given. It was easy for any one to get up and state in what particular the accounts were unsatisfactory.

Hon. Mr. BROWN could do so at once.

Hon. Mr. MACDONALD thought it much better to go on in the ordinary way, and to allow the motion to be carried. He hoped that his Hon. friend would look over the evidence, and he (Mr. Macdonald) felt sure that if there was any additional information which the Postmaster General could give him on the subject, he would cheerfully do so. Another reason why he hoped that his Hon. friend would withdraw his motion was, that there was now no time to lose. Already two prize steamers had been lost, and the sooner that they were replaced the better. Canada has, as yet, the best line of steamers, and the best course. And he believed that our line of steamers would stand their ground against all competition. The House should remember that there was a limit to the credit of even the richest company; and after such a loss as the present company had sustained, they would naturally look to the House to enable them once more to restore to Canada her pre-eminence over all rival lines of steamers. There was another reason why the original motion should be carried without delay. At the present moment a Committee of the House of Commons in England, was deliberating on the question of subsidies. Its proceedings would have to be watched. For, no doubt, the recent loss of the *Hungarian* would be used, in it, as a strong argument against the Canadian Line of Steamers. It was the duty of the House to counteract such an impression in every possible way; and the best way to do so, would be at once to declare that Canada had every confidence in her line of Steamers, and the House could not show its confidence in a stronger manner than by pledging the revenue of the Province in support of that line. Upon consideration of all these things, he would again ask his Hon. friend to withdraw his motion.

Hon. Mr. BROWN, after what had fallen from his right Hon. friend, the Attorney General, had no hesitation in withdrawing his motion. He must say, however, that the subject could not be disposed of without the enquiry he sought. He would also say that he understood that it was probable that our line of Steamers would get a subsidy from the British Government.

Hon. Mr. CARTIER repeated, in French, the substance of the remarks of the Hon. Mr. Smith, stating that it was expected that the Company, by the increased subsidy, would be enabled to maintain the service. The St. Lawrence route was beginning to be appreciated in Europe; it was obtaining the notice which it deserved; it was beginning to be acknowledged that Quebec was so much nearer Liverpool than was New York, that, with a fair field and no favour, the

Cunard Steamers could never beat the Canadian Line. (Cheers.) Those members of the Opposition, who were not determined to object to all the measures that proceeded from the Government, but who would desire to keep our Ocean Steam Line in successful operation, would, no doubt, support the proposition now made. A contrary course would be equivalent to a vote of want of confidence.

The Hon. Mr. BROWN then withdrew his motion, and that of the Hon. Mr. Smith was carried, without a division.

The House then adjourned.

LEGISLATIVE COUNCIL.

Wednesday, March 7, 1860.

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

Several Petitions were brought up and laid on the table.

HALF PAY OF MILITIA OFFICERS.

Sir E. P. TACHE, seconded by Hon. Mr. Crawford, moved that the Despatch from Mr. Secretary of States for Colonies, in answer to the Address of last Session, with reference to the Half Pay of Militia Officers, and which was laid before the House yesterday, be printed for the use of members. The honorable and gallant knight said he was induced to make this motion on account of the numerous enquiries from applicants for the Royal Bounty, to whom the Despatch would give every information on the subject.

The motion was granted.

CROWN LANDS BILL.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to provide for the sale and administration of Crown Lands. The Hon. gentleman stated that he had introduced the bill after the maturest consideration, and after the experience of years. The principal object of the bill was to do away with certain restrictions which at present existed, and to enable the Commissioners to act more freely, and then to remove a present cause of complaint on the part of the people having dealings with the department, namely—delay. The principle of the Bill was administrative. By it he proposed to give to the Commissioner, powers which at present were exercised only by the Governor in Council. It might be thought dangerous to give the Commissioner such power. But when he explained to Honourable Gentlemen the exact position of the Commissioner under the present system, they would see that such fears were groundless. At present when any matter came up before the Governor in Council, touching the Crown Lands, the advice of the Commissioner was always taken and acted upon; so that, in fact, the proposed change would

be one of form. He approved of the manner in which such Departments were managed in England. There the head of the Department was held responsible for all that was done in the Department, and he wished that such a system was obtained here; for, for his part, he did not wish to render his colleagues answerable for mistakes which might occur in his (Mr. V.) department. Every one knew that these matters of routine were never referred either to the Governor in Council or to the Commissioner. It was only disputed claims that were thus referred—people naturally looking to the Commissioner himself, and not to his subordinates, on such occasions. And he would have Hon. gentlemen understand that when such disputed claims came up, their settlement was attended by an immense amount of labor. But, happily, of the thousands of cases which came up, very few were disputed claims—but when they did come up they involved a great deal of labor. Maps had to be looked over, surveys had to be examined, old books had to be ransacked; and when the Commissioner had gone through all this, in order to determine the justice of a claim, it was not likely that ten or eleven gentlemen in council, would sit down and go through the same work again. The opinion of the Commissioner was of course adopted, and the matter thus disposed of. In bringing forward this bill, he had no ambition to impose additional trouble upon himself. It would be much easier—if he were base enough to pursue such a line of conduct—to disburthen himself of trouble in such cases, by telling the claimants that he had performed his duty, and then throwing the responsibility of the decision on the Governor in Council. But when he knew the delays that arose under the present system of referring such matters to the Governor in Council, he did not wish to continue it. However, it was not proposed in the bill to take all power away from the Governor in Council. An appeal, in all cases, was left to the Governor in Council, from the decision of the Commissioner; and the Governor in Council might make such regulations as would control the Commissioner. He did not introduce his bill to divest the Governor in Council of power which he now possessed, but to enable him to delegate that authority to the Commissioner—an arrangement by which great public convenience would be ensured. Such was the principal object of the bill. It might be said, that after all, it was not a very important matter—and that it was not worth while changing the present system to effect it. But experience taught him the importance of this change, and that trifling, as it was, it would prove of the greatest advantage in the discharge of the public business. And, in advancing this view of the case, he did not rely solely upon his own responsibility. He had taken the opinion of gentlemen who had filled the office which he had the honour to hold

for thirty years. He also begged to say that he would not hesitate to avail himself of any suggestion which any Hon. gentleman might throw out, and which he would think would advance the object he had in view. For it must be admitted that, in the working of the Department, he had more experience than the majority of the Hon. gentlemen present. In conclusion, he would say that was not a Bill to advance either the policy of the Government, or increase the importance of the Commissioner. But simply to facilitate the discharge of the business of the Department, over which he had the honor to preside. He would again invite discussion on such parts of his bill, as Honorable Gentlemen thought needed it. In his annual report, which he laid before the House the other day, he had endeavoured to give a *résumé* of the operations of his Department, in the brightest manner possible, in order to save the country the enormous cost of printing fuller particulars; and also his opinion respecting the proposed changes. The question was one of detail, and he invited the fullest discussion on its merits, and again declared his willingness to adopt such suggestions as were good. He moved the second reading of the Bill.

Hon. Mr. RENAUD asked if the bill had been printed in French.

Hon. Mr. VANKOUGHNET, on enquiry, found that it had not, although it was in the printer's hands. He hoped, however, that his Hon. friend would allow the bill to be read a second time, in which case, he would ask that it be referred to a Committee of the Whole on Friday.

The Bill was then read a second time.

Hon. Mr. VANKOUGHNET then moved that the said bill be referred to a Committee of the Whole on Friday next.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Wednesday, March 7.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to regulate the proceedings of Gas Companies in Upper Canada, and to provide for the Inspection of Gas and Gas metres therein.—Dr. Connor.

BILL to amend the Agricultural Act of Lower Canada, in so far as relates to railways crossing water courses.—Mr. Coullée.

BILL to regulate the weight of Hay and Straw in Lower Canada.—Mr. Desaulniers.

BILL for the more effectual prevention of corrupt practice at elections.—Mr. Gowan.

BILL to abolish the property qualification of Members of the Legislative Assembly.—Mr. Youan.

BILL to prevent fraud in Voters' Lists, and to prevent and punish bribery and other corrupt practices at elections.—Mr. Macdougall.

BILL to regulate the time during which Apothecaries and Druggists' shops shall be kept open in the different cities throughout the Province.—Mr. D. Ross.

BILL to regulate the erection of houses and other buildings.—Mr. D. Ross.

BILL to amend the Act entitled "An Act further to secure the Independence of Parliament."—Mr. D. Ross.

BILL to establish and diminish the Fees on Appeal.—Mr. Piché.

CLERGY RESERVE AND CROWN LANDS.

Hon. MALCOLM CAMERON moved, seconded by Mr. Macdougall, That an humble Address be presented to His Excellency, praying him to cause to be laid before this House a return of the amount of money received in Upper and Lower Canada, respectively, from sales of past due accounts of Clergy Reserve and Crown Lands for the years 1858 and 1859. He said he had made his Address so perfectly simple, that he hoped it might be answered in two or three days. The policy of the Government in regard to the Crown Lands was the most important and practical matter now before the country. The policy of last year was particularly unfortunate and injudicious. In his own neighborhood the effect on the settlers had been harrassing, and injurious in the extreme. This country needed emigrants, yet the policy of the Government at present tended to turn them away. Agents visiting Canada and enquiring as to the facilities for obtaining land, the protection of the settler, and the public debt, found that this country compared disadvantageously with the new States of the West. Minnesota was restrained from involving herself in debt over \$100,000, while in Canada the debt was \$50,000,000. Then they had a homestead law, by which a man who purchased land, could declare that so much was for a homestead, and it was secured to his family. In Canada, proposals for a law of the same kind had been treated with ridicule by the House. He had given notice of such a bill twelve years ago. To secure immigration, Canada must put herself on an equal footing, as regards benefits to the settler, with the neighbouring Republic. In the United States public lands remaining a certain time unsold, were supposed to be valued too high, and the price was reduced in proportion to the time they had been in the market. In Canada it was just the reverse; land remaining unsold was valued according to the improved land around it. The fundamental wealth of Canada was in her soil, and without emigrants to till that soil, she must retrograde. It was his opinion that public lands should have been given away; the gift would have remained with the giver; the settlers would have paid more in the

course of a few years than could have been obtained by the sale of the land. The course pursued at present would argue that the settler who had cleared his twenty, thirty, or forty acres, was even less deserving of consideration than the man who had just arrived. The industrious farmer who cleared our lands, had done the best thing any man could do for the country, yet, after fifteen years labour, if he cannot pay up his arrears, he is to be turned out of the country. He could prove that parties who, through failure of crops, were unable to make their payments, had been so threatened that they had gone to Toronto and elsewhere, and borrowed money at twenty per cent. to pay the Crown. At the same time Hon. gentlemen opposite, were showing how easily they could borrow money in England at five per cent. This oppression was driving numbers out of the country. This was the first time in the Legislation of any country, that the Government had authorized the issue of warrants to drive settlers off their land. While other Governments were doing everything possible to facilitate immigration, Canada was directly preventing it. The fear of forfeiting their land, had frightened off many who would otherwise have gladly settled amongst us.

Mr. W. F. POWELL had seen nothing of the distress spoken of in the section of the country he came from, and where he supposed there were twenty settlers to one in the part of the country represented by the Hon. member for Lambton. He did not hesitate to say, that a settler who could not meet the very moderate requirements of the Government for the payment of land was not likely to be of much benefit to the country, nor to contribute greatly to its Revenue.

Mr. ROBLIN thought that not a single case of real hardship could be named. In regard to the sale of lands, were the Municipalities to be kept out of their money? He was glad that an unusual amount had been received by the Municipalities last year.

Hon. Attorney General CARTIER said there was never a year in which so much money was collected in Lower Canada, from sales as in the last year. In 1858 only 43,000 acres of land were sold, while in 1859 143,000 acres were sold. On behalf of Lower Canada, he must deny the application of the remarks of the Hon. member for Lambton concerning the hardships among settlers. If these remarks did apply to Upper Canada, he thought that poor, slandered Lower Canada would come out well after all.

Mr. FOLEY said, it seemed that the sections of country from which the Hon. members for Carlton, Lennox and Addington had come, were fortunately exempt from the almost universal distress which prevailed. It was not for him to conjecture the cause, but if so they were very happily situated. It would be acknowledged, however, by every gentleman from Upper Canada that great distress had prevailed in those townships in which land had

been sold to settlers by the Government. Had not Honorable members received from time to time remonstrances from settlers, asking for a postponement of their dues to the Government? Not a day had passed since his arrival in which he or some of his friends had not received such applications setting forth most urgently the sufferings to which settlers were subjected in consequence of the pressure of the Govt. He held in his hand a letter from the Township of Wellesley—a tract of land the finest in the country, and with an industrious and thrifty population. That letter stated that many of their best men in that part of the country had been, by being forced to raise means to make their payments, placed in the last extremity of distress. Yet that was but a sample of the manner in which settlers upon Clergy and Crown Lands had been treated. It was not the new settlers who were the greatest sufferers, but those who were in arrear, and who, through failure of crops, were unable to make their payments. The Hon. Attorney General need not have drawn that invidious comparison between the Canadas. The people of Upper Canada were, it was true, under depression and distress; but there had been a time when the people of Lower Canada were suffering the same distress; and they had not hesitated to ask for direct gifts (which Upper Canadians never done) from the Government, which were given and cheerfully acquiesced in by the people of Upper Canada. In taunting the people of Upper Canada with their distress, did he forget that at the present time a large sum of money was due from the citizens of Quebec to the Government. Under the circumstances, he (Mr. Foley) could not allow any Lower Canadian to reflect with impunity on the sufferings of Upper Canada. He entirely agreed with the hon. member from Lambton, and was glad he had thus early brought the matter before the House—a matter he considered of far more importance than the Inspector General's abstruse project for raising a loan. He hoped the proposition would be favourably regarded, believing as he did that the statements of suffering had been diminished rather than exaggerated.

Hon. Mr. GALT said, the subject would come up in order when the Crown Lands Bill came before the House, but he must disclaim now, on the part of the Government, the callousness to distress attributed to them by Hon. gentlemen on the other side of the House. It would be within the memory of Hon. gentlemen, that the Government had distributed among various Municipalities, last year, \$120,000,—although the finances of the country were not then in a flourishing condition—under the provisions of the bill of last Session, and not one complaint had been made as to the way in which the distribution had been carried out. With regard to the Crown Lands, the Government would be pre-

pared to defend their policy at the proper time, and it would be difficult to show one single individual who had suffered wrong at their hands in the carrying out of the Crown Land Regulations. It was quite clear that, although one part of the country might be in distress, the Regulations must be carried out over the whole of the Province. It would never do for one portion of the debtors to the Crown and the Municipalities to go free, and for another portion to be made to pay. (Hear.) Then, again, the Government were only trustees for the Municipalities, as it regarded the Clergy Lands, and, when they were enforcing payment of the arrears due by Municipalities, they could not allow delay in the liquidation of obligations due to those bodies. (Hear.)

Mr. GOWAN regretted very much that no subject could be brought up without ungenerous remarks being made by Hon. members against various sections of the country. He had been surprised by hearing the remarks of the Hon. member for Carlton, who had said that if the member for Lambton were so delighted with the United States system as he had represented, he ought to go thither. Why, if that were carried out, the Hon. Postmaster General ought also to emigrate; for, in his speech of yesterday, he had eulogised the American at the expense of the British Government. He (Mr. Gowan) knew but of one case in his own Riding, arising from the recent Crown Lands regulations, but he knew of innumerable cases of hardship throughout Upper Canada—many in which as much as ten per cent. had been paid for money, recently.

A MEMBER—Ten per cent.!

Mr. GOWAN—Ten per cent. (Hear and Laughter.) He could mention the names.

Mr. W. F. POWELL—The name of the party who lent money at ten per cent. would be of use to most of us. (Laughter.)

Mr. GOWAN—And as to the argument that the Government were the trustees for the Municipalities in the case of the Clergy Reserve Lands, why the Government were only trustees of all the Public Property. However, he would not enter further into the discussion, since the whole subject would come up again in a substantive motion.

Hon. Mr. BROWN said that the whole country must be satisfied with the tone in which the Hon. Finance Minister had spoken; but not with that adopted by the Attorney General East. The latter had spoken of the ease with which Lower Canada had made her payments, and contrasted that with Upper Canada. But he (Mr. Brown) found that of the \$459,803 received last year, \$411,000 had been paid by Upper Canada. And when, in other ways, Upper Canada paid seventy per cent. of the national expenditure, it ill became the Attorney General East to twit her with poverty. He thought the \$400,000 that had been wrung from Upper Canada during the last year, under pressure, had been gathered at an

expense which the country could hardly afford to bear.

Hon. Attorney-General MACDONALD said that nothing which had fallen from his Hon'ble colleague, the Attorney-General East, could, by any ingenuity, be tortured into a disparagement of Upper Canada. No one was better acquainted with the whole country than his Hon. friend, the Attorney-General East, and he was simply stating his experience, when he said that a very large amount had been collected in Lower Canada, by the action of the Government, without causing any suffering to the settler. His object was, no doubt, to answer the repeated disparaging comparisons drawn between Upper and Lower Canada, to the prejudice of the latter Province. With reference to the Crown Lands regulations, they had been submitted to both branches of the Legislature, early last session, and as nothing was said in disapproval of them, the silence of Hon. gentlemen in both Houses was naturally combined into approbation of them, by his Hon. friend the Commissioner of Crown Lands. And he was fortified in the belief that they were approved of generally by seeing a highly favorable notice of them in the able and principal newspaper organ of the Hon. leader of the Opposition. The regulations had been carried out without any degree of harshness. If actual settlers could not, from special circumstances, pay up the whole of their arrears, they were only required to pay so much as they were really able, and it had happened that not a single actual settler had been deprived of his farm. (Hear, hear.) As regarded the making of free grants, he could only say, that it was in the motion of the Hon. member for Lambton, that a clause was introduced into the Crown Lands Bill doing away with them. Of the propriety of this law there might be a difference of opinion, but so long as the law was in existence, there could be no doubt that it was the duty of the Government, in their administrative capacity, to carry it out.

Mr. FERGUSON said that, to his knowledge, a number of application by persons in arrears for Crown Land dues had been made to Government, and in every one of them indulgence was granted. He instanced one case in particular of a farmer who had not made his payments regularly, and with reference to whom he had an assurance from the Commissioner a few days since. He did not doubt that money had been borrowed at the high rates mentioned by some Hon. gentlemen, but it was so borrowed, rather to meet other demands than those of Government. It was well known that Government would enforce payment only from non residents or speculators, so that the regulation did not cause any great anxiety to actual settlers, and he knew of no single case in which application made by one of the latter had been denied.

Mr. DALY did not agree with the member for Lambton in his stricture on the management of

the Crown Land Department; the present Commissioner has discharged the duties of his office most satisfactorily. He (Mr. Daly,) had made his constituents aware that the enforcement of the regulation would be mainly as to speculators, and it did not occasion any hardships in his County. Cases might be cited of parties borrowing money at high rates of interest, but he thought such loans were principally for the purpose of paying off debts incurred on the credit of the land. He was satisfied, it would be seen that all the money paid in to the Government under the regulation had been so paid either by parties at their own convenience, or by those holding large tracts as speculators.

Mr. JOHN CAMERON was satisfied that every complaint made to the Government on this subject had been attended to, and that so much evil had not arisen from the regulation as was pretended. With reference to settlers on free grants he could testify they were living most comfortably, and referred particularly to these on the Bobcaygon Road.

Mr. POPE believed that the Government, as answerable for the public funds, had no right to allow debts to remain unpaid, by persons able to pay them. He granted that individuals might have suffered under the present system, but they were persons who would not be able to prosper in any country, or under any circumstances. A most mistaken idea had gone abroad, that parties would not be pushed for arrears in Crown Lands, and it was just as well it should be corrected. He considered the proposition of the Member for Lambton most demoralizing. (A laugh.) It did not excite people to labour for themselves, but induced them to be inactive, and deprived them of that zeal in working out their own fortunes which they would otherwise evince.

Mr. McDUGALL conceived that no system could be more demoralizing than that which, like the present, placed a man at the mercy of the Commissioner of Crown Lands; the whole case displayed one of the worst vices of our political system. The advertisement spoken of by the Attorney General West, as having given information to farmers on this matter, was an answer to a clergyman, a partisan of the Government, and was no advertisement at all. He (Mr. McDougall) wished to see all settlers placed on the same basis as to these arrears. The Government, by the bill of last Session, allowing money to be loaned for the purchase of seed, recognised the distress existing among some of the settlers in Upper Canada, and yet adopted these instructions which were so injurious to the same class. They did not follow up that measure of relief as they should have done.

Mr. RIMPSON did not see that there was any cause for the great indignation exhibited by the members for Toronto, Waterloo, and North Oxford, on this question. The notice did not amount to anything more than that usually given

by a newspaper proprietor to his subscribers in his arrears. It had not been made clear that there was any hardship attendant upon the action of the Crown Land Department, whose duty it was to collect all arrears. No one had shewn that any harsh measures had been resorted to.

The motion for the Address was then put and carried.

PUBLIC EXPENSE IN UPPER AND LOWER CANADA.

Mr. PICHE moved for the appointment of a COMMITTEE to enquire and ascertain in what proportion Upper and Lower Canada have, in each year since the Union of the Provinces, contributed to the Annual Revenue of the Province; and what proportion of the public money Upper and Lower Canada have respectively received, with power to send for persons, papers and records, the said Committee to be composed of the Honorable Messrs. *Cartier, Galt, Brown, Cauchon, Stoitte, J. S. Macdonald, and Foley, and Messrs. McDougall, Simpson and the Mover.* He did not think it necessary to speak at any length upon the necessity for such a Committee, since, for many years past, it had been asserted that Upper Canada had been put in a position of inferiority, in respect of the money spent there, in view of the income it contributed. He hoped the Committee would be able to ascertain clearly the amount of revenues and expenditures, and the respective proportions of both in both Sections of the Province. It was most important, before any constitutional changes were proposed, that the relations between Upper and Lower Canada, in their financial affairs, should be understood. For months, great financiers, like the Hon. member for Toronto, had asserted that Upper Canada paid a great deal more than its share; while, on the part of Lower Canada, the reverse had been as strongly asserted. He hoped no opposition would be offered to what he considered a most reasonable motion, since, if the Committee performed its duty faithfully, the whole country would receive information which it was most essential to its future peace and comfort it should have. He did not consider himself a financier, and had only included himself in the Committee, as he understood it was the practice for a mover to be a member of the Committee he moved for, but he would be glad if a more competent person were substituted for him.

Hon. Mr. CARTIER said there could be no doubt that the subject now before the House was one possessing considerable interest, and he was surprised the Hon. Member for Berthier should desire information respecting it. All persons acquainted with politics knew that there was some asperity of feeling between Upper and Lower Canada, proceeding chiefly from the assertion of alleged facts on the part of the Hon. Member for Toronto, through his paper, which, however, were not facts. However, he thought the Hon. Member for Berthier had not adopted the proper

course; he should have first made a motion for an Address to His Excellency asking for the expenditure in both parts of the Province, showing the proportion of each and the particular works upon which it had been incurred. Such a statement the Government would make due haste to prepare, and if then the Hon. Member or the House were not satisfied, a Committee could be named to whom it would be referred. But he thought the Hon. member for Berthier himself would be satisfied from such a return that the accusations so liberally brought against Lower Canada, and ably refuted by the *Leader*, were of a piece with the assertion that Upper Canada contained a population of 400,000 more than Lower Canada. It happened, however, that the 1861 was very near at hand, when this assertion would be tested and disproved. He repeated, that after the statement made by the Government had been submitted to the House, there would be no objection to refer it to a Select Committee when it would be seen which section had been most favored.

Mr. PICHE thought there was an easier way. He would leave his motion off the paper, and the Government without further proceedings could bring down such a statement as they proposed.

Hon. Mr. CARTIER---The proper way was by motion for an Address.

Mr. PICHE---Well if so he would make a motion—and it appeared to him the proposal was a reasonable one, and that we should thus at any rate arrive at a result.

Hon. Mr. BROWN---Oh! oh! [derisively.]

Mr. PICHE---Well that is my opinion, and though I am in Opposition, I am willing to trust the Government that far, for I believe the advice is frank.

Hon. Mr. BROWN—I will tell the Hon. member what the effect will be; it will throw the matter over for the whole session.

Mr. PICHE—Give me leave, that is not my opinion, for my notice remains on the orders, and if the Government fail to bring down the statement soon, I will renew the motion.

Hon. Mr. SICOTTE—Let the statement be brought down within eight days.

Hon. Mr. CARTIER—It will be furnished sooner.

Hon. Mr. BROWN thought the original motion was a very admirable one. The proposition of the Attorney-General would, in effect, throw the whole thing over for the session, or, if not, it would only elicit an *ex parte* statement, cut and dried. The only correct way would be to submit the matter to a Committee of impartial men.

Hon. Attorney-General MACDONALD said that, in the beginning of the afternoon, Hon. gentlemen opposite, had refused to allow a financial statement to be made before the complete official returns were sent down. Now they were ready to say they could make up

their returns themselves. (Laughter.) Were they afraid of allowing the Government to make a statement? Were they afraid that the Government should make it too soon? Were they discomfited at the idea of the Government having them cut and dried? The subject was a very fair one for investigation,—it was right that these recriminations, so often indulged in, should be looked into, and; if falsely founded, that they should be put an end to. After the Government return had been sent down, as the House was not to be overwhelmed with legislation this year, they could devote themselves to its examination.

Hon. Mr. SICOTTE thought the course proposed by the Attorneys-General was a perfectly fair one. The Hon. member for Toronto had better accept the propositions made. The Government might not be so liberal to-morrow.

Hon. Mr. FOLEY hoped that the manifesto or address to the Electors of the Attorney General East, would be sent down along with the statement. He thought the best thing would be to adopt the motion of Mr. Piche. He would take the opportunity of observing that, in his opinion all those invidious distinctions between Upper and Lower Canada were productive of mischief, and that instead of Lower Canada always endeavoring to drive Upper Canada further and further from her, and so to cut asunder the cords that ought to bind the two Provinces, the true course would be to prepare to remove the causes of difficulty which existed, and not to treat, with contempt the feelings of the majority of the Upper Province, as on the floor of the House was often done. (No, no.) Did Hon. gentlemen say “no, no”? Why, appointments appeared in every *Gazette*, made by ministers who did not possess the confidence of the majority of the people of Upper Canada, and he warned Hon. gentlemen opposite that, unless they changed their line of conduct, Upper Canada would, no matter what the cost of doing so might be, relieve herself of the degrading and despicable position which she occupied.

UNIVERSITY OF TORONTO AND OTHER COLLEGES.

Mr. AIKINS moved for an Address to His Excellency, praying that he will cause to be laid before this House a return from the University of Toronto, University College—Upper Canada College, Victoria, Regiopolis, Queen's, St. Michael's and Bytown Colleges, and Belleville Seminary, shewing their annual expenditure, their sources of income, the number of Professors or Teachers, the course of study pursued, the number of Graduates Matriculated, as well as the number of graduates, distinguishing the day students from the resident ones; noting their residence, religion and age, as also their standing in those Colleges respectively; showing the number of Theological or Medical Students in connection with each College respect-

ively, as also the number of scholarships and value of each to be competed for, if any.

Hon. Attorney General MACDONALD said there was no objection to the Address. All the information which could be obtained by the Government, would be sent down. The Hon. gentleman, however, must be aware that the Government had no control over some of the institutions referred to, and therefore he must not be disappointed should the return not be so complete as he desired.

The Address was ordered.

UNIVERSITY OF TORONTO, AND UNIVERSITY COLLEGE.

On the motion of Mr. WHITE, an address was voted to His Excellency, praying that he will cause to be laid before this House a return, shewing the quantity of land sold by the University of Toronto since the 31st day of December, 1855; the amount received from such sales; and the amount paid on account of former sales; the amount of interest from such sales, the amount of rents from such period up to the 31st day of December last; the amount of the principal of the income fund of the said University and University College; the amount of the income derived therefrom annually, shewing what part of the said income was obtained from fees for tuition, examination, degrees, certificates of honor, or otherwise, from scholars during the past four years; the cost of the University Buildings, and also the cost of fitting up the ground connected therewith up to the present time; the number of Professors or Teachers in the said University of Toronto and University College, with their present salaries, and perquisites respectively, and any allowance, if any, for past time; the number of scholars taught by each Professor or Teacher in the said University College during the past year, the total and average number in attendance at said institutions during such time; the annual expense of managing the Endowment and general income fund of such institutions respectively, during the past year, including the salaries of the Professors and officers; the amount of the surplus of the University income fund now remaining on hand, at the disposal of Parliament, for Academic education in Upper Canada. The amount of the funds invested on account of the University of Toronto by way of a loan or otherwise, the nature of the security taken and the time given, together with the rate of interest.

INDIAN LANDS IN DUNDEE.

Mr. SOMERVILLE enquired of Ministers, whether they had, since last session, had any communication with the Imperial Government on the subject of the Indian Reserves, and if so, whether it was their intention to introduce any measure to make any proposal relative to the Indian Lands in the Township of Dundee.

Hon. Attorney General CARTIER said, the correspondence between this and the Imperial

Government was not before the Ministry were not at present in a position to say whether they would introduce a measure on the subject this session. They hoped, however, the correspondence would be closed before the end of the session.

THE CENSUS.

Mr. WHITE enquired of Ministers whether it was their intention to consider any measure during the present Session of Parliament, with the view to amend the law for taking the census of the Province.

Hon. Mr. SHERWOOD—said the board of registration were now engaged in drawing up resolutions and regulations. He could not say that these would be submitted to Parliament, as the Board had the power of making regulations without a bill, under the existing Act.

BANKRUPTCY LAW.

Hon. BROWN enquired of Ministers whether it is their intention to introduce a Bill, during the present Session, to amend the law of Debtor and Creditor in Commercial matters, in Upper Canada, and, if so, whether the said Bill will provide for the winding up of Bankrupt Estates, and for the discharge of Traders who have surrendered all their property for the benefit of of their creditors, and who have undergone a satisfactory examination as to the cause of their Bankruptcy.

Hon. Atty. Gen. MACDONALD said that it was not the intention of Government to introduce a bill. The Government had hoped to have received by the *Hungarian* an early copy of the bill to be introduced in England. That had unfortunately been lost with the vessel, and it might be a mail or two before they received another. It was of great importance that this country should have the benefit of the extensive experience of the Bankruptcy Commission of England. The bill there to be introduced was to do away with the difference between Bankruptcy and Insolvency, and to simplify the law very much. It was, however, the intention of the Government to strike a Committee for the purpose of taking into consideration the whole subject of Debtor and Creditor, to which would be referred all the bills introduced last Session, or to be introduced in the beginning of the present Session. It was most important that the whole law of Debtor and Creditor, and of contracts should be the same in this country as in England, so that the English merchant should understand that he has the same rights of proceeding in Canada as in England, against those who do him injustice. [Hear.]

EDUCATION OF BLIND DEAF AND DUMB.

In reply to Mr. BROWN—Hon. J. A. MACDONALD said that the education of these persons was a very special duty, and could not be conducted with the appliances made use of in Common Schools. Dr. Howe had been here last summer,

and it was hoped the Government would be able to secure his services. The Government fortunately had buildings of their own which could be used for the purpose, and therefore there would be no expense for brick and mortar, but they would require a grant for educational purposes.

Hon. Mr. BROWN—It was not to the credit of the Province that so much money was spent upon those who could help themselves, and so little upon the Deaf, Dumb and Blind, and he thought something could be done through the Common Schools by the training of teachers in the Normal schools, and the distribution of books suited to the instruction of these unfortunates.

Hon. Mr. BROWN—Moved for an Address to His Excellency for a summary statement of the amounts due on 1st of January, 1860, by the several companies who purchased roads, bridges or harbours in Upper Canada from Government in 1850; said statements to show clearly the amounts agreed to be paid for each work, the interest that has accrued on each sale, the amount of cash received on account by Government, the balances now due, and the amounts of instalments yet to mature.

Hon. Mr. Brown—Moved for an Address to His Excellency for a return of the amounts paid from the Public Chest, for the settlement of Rebellion Losses in Upper and Lower Canada, respecting the expenses connected with each settlement; said return to show clearly the name of each party to whom indemnity was awarded by the Commissioners with the amount thereof, the party to whom the cash was actually paid, and the date of payment; said return to include an account current between the Province, and the Upper and Lower Canada Rebellion Losses Funds respectively showing the cash and Debentures advanced to each by the Province, the interest accrued thereon, the amount received on account from local sources, and the balance due in the 1st January, 1860.

THE PROVINCIAL CANALS.

Hon. Mr. BROWN moved for an Address to His Excellency, praying that he will cause to be laid before this House copies of all documents giving information to Government as to fraudulent practices by ship owners in the payment of tolls or freight passing through the Provincial Canals; also copies of all correspondence between Government and James McCuaig on said subject, and of the commission or letter of instructions to said McCuaig, authorizing him to enquire into said fraudulent practices, and of the report made by said McCuaig.

Motion carried.

MR. ALLAN NEIL McLEAN.

Hon. Mr. BROWN moved for an Address to His Excellency, praying that he will cause to be laid before this House, copy of the commission and letter of instructions under which Mr. Allan Neil McLean has recently been appointed as In-

spector of Crown or Clergy Reserve Land sales in Upper Canada; also for full information as to the duties of the said Allan Neil McLean, and the remuneration to be given him.

Carried.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 8, 1860.

The Speaker took the chair at 3 o'clock.

COASTING TRADE.

Hon. Mr. DE BLAQUIERE enquired whether it were the intention of the Executive to take any and what steps consequent upon the rejection by the Imperial Government of the Acts of last session respecting the Coasting Trade?

Hon. Mr. VANKOUGHNET, in reply stated, that it would have been more satisfactory if his Hon. friend had moved for a copy of the despatch which had been received from the Imperial Government, on the subject—as in it the whole matter was fully and satisfactorily set forth. He might state, however, that the reason of the refusal of the sanction of the Imperial Government to the measure, was, that the proposed measure would directly interfere with the trade of Great Britain,—therefore, the advisers of Her Majesty advised that it should be rejected. As to what steps, if any, it was the intention of the Executive of our Province to take, no one could know better than his Hon. friend, from his great experience, that in such a delicate matter as this, a great deal of caution must be observed, and the proper time and occasion taken for such action. He hoped that his Hon. friend would not press his motion.

INOCULATION AND VACCINATION.

Hon. M. DE BLAQUIER moved, "for an address to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before the House, the returns made to the Government under the provisions of the Act 29 Victoria, Cap. 39 Sec. 5, respecting Inoculation and Vaccination." The Hon. gentleman stated that the returns were moved for in consequence of an Act which had been introduced into the House by the Hon. member for Essex, and which was passed in the year 1858; and the object of the present motion was to ascertain how the Act in question worked, and what protection it afforded to the country against the recurrence of that dreadful disease the Small Pox. In framing his Bill, his Hon. friend had not gone so far as the Act passed in England in the year 1842, on the same subject, which made it a criminal offense for any one to make use of in any way *varioloise* matter, throughout the United Kingdom. His Hon. friend's bill did not go so far as this, and conse-

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Quebec, March 8, 1860.

INNOCULATION AND VACCINATION.

Concluded from our last No.

quently some doubts arose as to whether it met the exigencies which existed in this country. In a matter of such importance as this it was time to enquire whether every thing had been done that could avert, or at least assuage the ravages of that dreadful disease. Another provision of the English act, besides that already referred to, was to make it compulsory on all persons to have their children vaccinated, when eight days old,—and seeing that such steps had been taken in England, and had remained in force for such a length of time, Hon. gentlemen would see the necessity of taking all the means in their power also to avert the scourge from our doors. He was glad to see that, as far as regulations respecting the emigration coming to our own shores were conceived, the Government had taken the necessary steps,—but there the care of the Government seemed to stop. It was an unfortunate fact borne out by history, that once this disorder visited a country or city, it did not take its departure until it had almost depopulated that place,—and it was, no doubt, in view of this, that such stringent steps were taken in England. But it was almost useless to take preventive steps any where unless they were universally adopted,—for that was the only true method of preventing the contagion from spreading. He would now lay a few statements before them. In Toronto, the city near which he lived, the disease broke out spontaneously in two successive years. And yet, although there was an Hospital supported by the Government, there were no separate Wards in that Hospital, for the treatment of patients afflicted with this infectious disease. This was very bad. As the introduction of one patient might spread the disease throughout the entire Hospital, and the consequences could not but be fearful, as this Hospital was open to patients

from all parts of the country---so that the disease might easily be spread from one end of the Province to the other. But the evil did not stop here. It also assumed another shape. He had been credibly informed that the breaking out of the small pox in Yorkville, the place where he resided was solely attributable to the fact, that a body infested with the disease had been taken to the dissecting room in that place and operated upon. Such conduct could not be too highly censured---as no part of the country was safe as long as such conduct might be practised. Another circumstance he would mention, which had been published in the public journals---namely, that a criminal, in the Gaol of Toronto, was actually sent without the authority of the Hospital Commissioners, to the Hospital in Toronto, where, as he had before stated there were no separate Wards for such practice. In consequence, he believed that one of the inmates took the disease and died. He did not wish to say anything against the Medical Superintendent of the Gaol, who was a talented and experienced gentleman---but he must protest against the continuance of the present system. He thought that he had said enough to show that immediate action should be taken. His principal object was to find what had been done under the Act of 1858, in order that an opportunity might be afforded of striking a Committee of the House, to see and determine why the example set in England should not be followed here. He knew that a strong prejudice existed in the minds of the people against vaccination---but such prejudices should not be tolerated when they jarred with the public interest. Also, proper places---especially in cities should be provided for the treatment of this disease. With these remarks he begged to move for the address.

Hon. Mr. VANKOUGHNET had no objection to the address.

Sir E. P. TACHE said that his Hon. friend desired the thanks of the House for bringing up the subject. Having had twenty-seven years of constant practice he could speak from expe-

rience. Some thirty or thirty-five years ago he was in hopes that this terrible scourge had been entirely banished from our land. The people were glad to have their children vaccinated; and during the period of his practice few cases occurred. But when the cholera came the people became disheartened. They said that Providence has sent another scourge to take the place of the Small Pox—and they ceased to have their children vaccinated. He could bear testimony to the fact from his own experience—that vaccination had not only closed to be made use of—but the people exhibited the greatest disinclination towards it, and consequently the disease spread, and proved fatal—and the medical men from the country parts had to send to Quebec for the vaccine matter, but in some cases they could not get it. However he could not go so far as his Hon. friend proposed in making the offence he spoke of a criminal offence. It was not in the power of the House to keep the small pox or the cholera away. But he thought that some measure should be passed to enquire thoroughly into the matter, and see if some means could not be adopted to prevent the ravages of this dreadful disease—and he hoped that the proposed Committee would be able to effect that object.

Hon. Mr. ALLAN, coming from Toronto, could not forbear from adding his testimony to what had fallen from his Hon. friend (Hon. Mr. DeBlaquière) He had gone much among the common people—among whom this disease generally originated and committed its worst ravages—and he could testify that a great reluctance to Vaccination existed—a fact which showed the necessity of establishing some compulsory measure on the subject. The poor people were prejudiced against it, and seemed to think that there was no use in Vaccination, and consequently they did not adopt it. And sometimes this dreadful disease would begin at the head of a street and go down to the bottom, visiting every house. He hoped that the Committee would be struck.

Hon Mr. LATERRIERE, presuming that the hon. gentleman who moved for this Address was to ascertain what had been the effect of the law of 1853, providing for the extension of the practice of vaccination, would not oppose the motion, but he conceived there was no necessity for further legislation on the subject; and that any law which would render vaccination imperative, would be considered vexatious. At present, every possible precaution was taken, in Lower Canada at least, against the introduction of contagious disease; there was an inspection of all persons arriving in the Province, first at the Gross Isle Quarantine establishment, and afterwards by the Health Officer at Quebec, and the Marine Hospital in this city was open for the reception of the infected. He did not see that the appointment of additional medical men to encourage or enforce vaccination, was called for, any more than the appointment to extra Custom House Officers, to increase the revenue. The Legislature, with the act of 1853 upon the Statues

Book, should rely upon the feelings of humanity of every inhabitant in the country, and the love which every parent had for their offspring, to do what was necessary. He had no doubt the existing law was amply sufficient to secure the desirable object which the Hon. mover had in view, and that any compulsory enactment would be considered oppressive, and would not lead to the extension of the practice of vaccination.

Sir E. P. TACHE assured the Hon. gentleman who had just spoken, that, on the south shore of the St. Lawrence, which was far more populous than the north, where he (Hon. Mr. Laterriere) resided, the heads of families exhibited the greatest apathy on the subject of vaccination. If a Committee were appointed, medical men would prove, that in Quebec, as elsewhere, there was great negligence in reference to this matter.

Hon. Mr. TESSIER said that in the counties of Gaspé and Bonaventure, small-pox had raged to an alarming extent very recently, and the want of medical practitioners and of vaccine matter was severely felt. The inhabitants of that district, though few in number, came in contact, in the course of their business, with people from nearly every other part of the country, and unless a law were passed rendering vaccination compulsory, not only would they suffer, but the infection would be communicated and spread throughout the Province. These who, irrespective of legislative enactment, had vaccination practised, and wished to preserve themselves and families from this loathsome disease, could not complain that their less careful neighbors were forced to do, by legal interposition, what they gladly did of their own accord. He thought there should be some provision as to furnishing vaccine matter to persons in distant country parts. In the County of Bonaventure there were only two medical practitioners for a distance of ninety miles, and he considered that if a system of compulsory vaccination were adopted, means should also be taken to render it feasible, by supplying matter to persons such as those who resided in that district.

Hon. Mr. LATERRIERE stated that, whatever might have been the case thirty years ago, when there was only one legally qualified medical practitioner between Kamouraska and Lotbinière, there need not now be any great apprehension of small-pox spreading in Lower Canada, for there were two or three doctors in every parish, where applicants might receive vaccination. He believed self-preservation, the first law of nature, was more likely to make people guard against disease than anything the Legislature could do.

The motion for the Address was then put and carried.

CORONERS.

Hon. Mr. CHRISTIE rose to enquire whether the Ministry have instituted or intend to institute an investigation into the conduct of Gabriel Balfour, one of the Coroners for the County of Brant, in connection with the inquest which he held in the case of the fire which occurred recently in the establishment of Ganson, Water-

ous & Co., in the Town of Brant. He would also mention two other cases that came under his notice, and which he thought also demanded an enquiry. One of them was that of a respectable farmer who accidentally poisoned himself,—but on the application of prompt remedies by a medical man, recovered so far as to be able to go out. On going out, however, he caught cold and died. These facts were known to the whole neighborhood—yet the coroner put off the inquest until the friends and relatives of the deceased were on the point of following him to the tomb, when he suddenly came, stayed the funeral, and actually swore in a jury of the friends and relatives present to hold the inquest. The other, was that of a farmer, accidentally killed by a thrashing machine, on which the Coroner intruded himself upon the agony of the deceased man's relatives and held the inquest. These were both cases of great grievance, as also was the one, the subject of the enquiry, and he had no doubt but that the Government would see justice done.

Hon. Mr. VANKOUGHNET thought that in the last case, the Coroner was bound by law to hold the inquest—but not in the manner he seemed to have done. However, he had not heard of either case until now, and therefore could not pronounce on them. With regard to the subject of the enquiry, he begged to say that the Government had already instituted an investigation into it—though what ulterior steps would be taken he was not prepared to say. It might however, result in the issuing of a commission. No doubt, if the other cases had been reported they would have been similarly dealt with.

MUNICIPAL RESTRAINT BILL.

Hon. Mr. ALEXANDER moved the second reading of the Act to restrain Municipalities from issuing debentures beyond a certain amount. The Hon. gentleman stated that this Bill applied to Upper Canada, solely. It had been passed through the Legislative Council last session, but it was thrown out in the Legislative Assembly. There was not a single member from the western section of the Province who did not feel the unfortunate effects of the present system of issuing debentures; and while saying this, he would not hesitate to give credit for the great good which such institutions had effected in promoting business and furthering the interests of the people in many ways, both in cities and towns. But at the same time, facts showed that it was most unwise to give Municipalities unlimited power to get into debt; since the natural result of such a power was that our counties and towns, and cities had become involved to a serious amount, which would also prove a serious drawback to their future improvement. It was enough to frighten any one from coming and settling in the Province, to see the enormous amount of taxation which the people had to pay. And this burthen fell on all classes of the people, especially on those classes who were least able to bear them—mechanics and laborers, many of whom, to his own experience, had declared themselves unable to

pay the taxes. It was curious to watch the manner in which small Municipalities got into debt. Some men who had some money to make out of the people, came to a Municipality and agitated the starting of a Railroad, and got the Municipality to advance the money, and too often, when the money was spent, the Railroad constructed, and the Municipality in debt, it turned out that the Railroad was not worth anything, and that the people would have been better off without it. In another place, the circumstances of which came under his notice, so little did the people attend to the municipal accounts, that there were £5,000 gone which could not be accounted for, and the same Municipality was indebted to the sum of £37,000. In another place the people had been saddled with a debt of £10,000 against their own expressed wish. A force of police was actually brought from London to barricade the School House, while the obnoxious by-law to expend the money was passed. If Hon. Gentlemen would take the trouble to enquire, they would find that many of our leading cities were in a most alarming state from the same reckless expenditure. It was unnecessary to mention places. He would like to know why this bill was thrown out of the Lower House last session. It was well known that there were many places preparing to follow the example set them, and to plunge into debt, and he urged the passing of this bill. The first section of the bill provided that no debt should be incurred whereby the liabilities of any city, town, or village would be made to exceed one half of the assessed yearly value of the rateable property within its limits, on the average of the last three years, and calculating the yearly value at the rate of six per cent on the actual value of such property. The second section provided that no Council of a County or Township should contract any debt whereby its liabilities should be made to exceed three per cent on the assessed actual value of the rateable property within its limits. He begged to move the second reading.

Hon. Mr. MACDONALD seconded the motion.

Hon. Mr. CAMPBELL wished to inform the Hon. gentlemen present from Lower Canada that the picture which his Hon. friend (Hon. Mr. Alexander) had drawn, was not applicable to the entire part of Upper Canada. He could vouch for the central part of the Province, Kingston and its neighborhood, that it was not alarmingly in debt or likely to be so.

Hon. Mr. CRAWFORD testified to the same effect. His own county was not indebted, and his town had only a tax of 1s. in the pound. It occurred to him as an unfortunate matter that those who were in the habit of voting those by-laws, to raise money, paid the least portion of the taxes.

Hon. Col. PRINCE thought that if municipalities could be restrained from dabbling in politics as well as from issuing debentures, that it would be all the better. He concurred in the Bill.

The Bill was then read a second time and referred to a special committee composed of the Hon. Messrs. Vankoughnet, Ferguson, DeBlaquiere, Mills, Crawford, Campbell, Christie, and the mover.

COASTING TRADE.

Hon. Mr. DEBLAQUIERE moved, in accordance with what had fallen from the Hon. Commissioner of Crown Lands, that an humble Address be presented to His Excellency the Governor General, praying for a copy of the despatch received from the Imperial Government respecting its refusal to pass the Colonial Bill of last session, touching the Coasting Trade. Carried.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Thursday, March 8, 1860.

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

BILL INTRODUCED AND READ A FIRST TIME.

BILL for the better securing and protection of the rights of *baillieurs d'fonds*, in case of exchange.—Hon. M. Sicotte.

STANDING COMMITTEES.

Hon. Attorney General CARTIER moved, seconded by Hon. Attorney General MACDONALD, the adoption of the report of the Special Committee appointed to prepare and report lists of members to compose the Select Standing Committees ordered by the House. The report was as follows:—

1st. *On Privileges and Elections.*—Hon. Mr. Attorney General Macdonald, Hon. Messieurs Sherwood, Sicotte, Drummond, Terrill, J. S. Macdonald, Lemieux, Dorion, Mowat, and Cameron; Messieurs Turcotte, Laberge, Dufresne, Chapais, Benjamin, Wilson, W. F. Powell, Ouimet, Fournier, Simpson, Notman, and Macbeth.

2nd. *On Expiring Laws.*—Hon. Mr. Loranger, Messieurs Dunbar Ross, Bureau, Tett, Biggar, Carling, Munro, Sincennes, Bourassa, Dionne, Cook, James Ross, McGee, Dorland, Hébert, Tassé, Pope, Laporte, Heath, Hogan, Caron, Finlayson, and Harcourt.

3rd. *On Miscellaneous Private Bills.*—Hon. Messieurs Dorion, Sherwood, Lemieux, Loranger, Mowat, and Foley; Messieurs Laberge, Dunbar Ross, Carling, Gill, Wright, Robinson, McKellar, Webb, Notman, Ouimet, Piché, Archambault, William Scott, Wallbridge, Dunkin, R. W. Scott, Lacoste, Heath, Wilson, and Connor.

4th. *On Railways, Canals, and Telegraph Lines.*—Hon. Messieurs Attorney General Cartier, Attorney General Macdonald, Sidney Smith, J. S. Macdonald, Lemieux, Brown, Cauchon, Dorion, Harwood, Foley, and Cameron; Messieurs Foster, Connor, Morrison, Bellingham, Bureau, MacLeod, Dubord, Baby, Burton, W. F. Powell, McMicken, Dunkin, Buchanan, Ferres, D. A.

Macdonald, Walker Powell, Daly, Turcotte, Macbeth, and Meagher.

5th. *On Standing Orders.*—Hon. Mr. Merritt; Messieurs Turcotte, Connor, Short, Coutlée, Walker Powell, Labelle, Burwell, Daoust, Papineau, Playfair, White, Cimon, Whitney, Loux, Rymal, Gaudet, Pope, Howland, Aikins, Beauvieux, Dawson, and McCann.

6th. *On Printing.*—Hon. Mr. Thibaudau; Messieurs Benjamin, Fortier, Bell, Chapais, Simpson, Beauvieux, Patrick, Ferres, and Clark.

7th. *On Contingencies.*—Hon. Messieurs Sicotte, Loranger, and Thibaudau; Messieurs Jobin, Campbell, Benjamin, Ferguson, Tett, Desaulniers, Panet, Gould, D. A. Macdonald, Langevin, Roblin, McGee, Holmes, A. P. McDonald, Laframboise, LeBoutillier, Sincennes, Somerville, Stirton, Gowan, Talbot, Price, Daoust, James Ross, and McMicken.

8th. *On Public Accounts.*—Hon. Messieurs Galt, Foley, and Cayley; Messieurs Turcotte, Morrison, Simard, Chapais, Ferres, Starnes, Buchanan, Campbell, Mattice, Dunkin, Howland, John Cameron, White, Jobin, LeBoutillier, and McDougall.

Hon. Mr. FOLEY seconded by Hon. Mr. MOWAT moved in amendment, that the name of the Hon. George Brown be added to the Standing Committee on Public Accounts. He considered that great injustice had been done to the Opposition side of the House and to the country, in the omission of their leader's name in the selection of that Committee. He hoped it was superfluous to give his reasons, and trusted that the judgement of Hon. members on both sides would convince them of the propriety of supporting his amendment.

Hon. Attorney-General CARTIER had no desire of re-producing the discussion on this point that had taken place last year. The Government had not thought proper to place the Hon. member for Toronto on the Committee, but had not intended to manifest a want of respect for that gentleman. There was no ground for the charge of injustice to the Opposition. However it might be with Upper Canada, the Opposition of Lower Canada was represented in that Committee beyond its proportion in the House. He supposed that the Hon. member for Waterloo wished to make it appear that the Hon. member for Toronto was made a victim to the tyranny of the Ministry. That was not the case; the Government had not deemed it appropriate or necessary to place him on the Committee, and he hoped the supporters of the Government would negative the motion of the Hon. member for Waterloo.

Hon. Mr. SICOTTE thought that if the eighty-fourth rule of the House was observed, the Committee must remain as it had been appointed by the Special Committee. The object of that rule was expressly to prevent such discussion as the present. But it was provided that if two members objected to the appointments, the whole matter was then to be left to the decision of the House.

Mr. SPEAKER said the House was asked simply to confirm the report of the Committee—a case to which the eighty-fourth rule did not apply.

Hon. Mr. FOLEY remarked an inconsistency in the remarks of the Hon. Attorney General West, who, after declaring the Committee to be a selection of Hon. gentlemen of both sides, and therefore independent of the Government, concluded by hoping that the supporters of the Government would sustain the Committee as it was. Now, it would have been more consistent to have said that, if the House wished to add one gentleman to the Committee, the Government would allow the House to choose for itself. The Hon. member for Toronto was as thoroughly familiar with the public accounts, and as well able to discharge the duties required as any gentleman in the House, and, as the leader of a large party, why should he be left out? He was one of the first members named to select the Special Committee, and with what propriety could he be declared unfit to sit upon that Committee? Instead of tending to degrade the Hon. member for Toronto, such a course as that pursued would elevate him in the opinion of the country. (Hear, hear.) Such petty despotism would recoil upon those who resorted to it. In view of the ability and the position, and the rights of the Hon. member for Toronto, the Opposition would exert themselves to the utmost that he might be placed on that Committee.

Mr. GOWAN said, being of neither party, he spoke impartially when he expressed his opinion that, as the Hon. member for Toronto had been rejected, there should be no attempt made to force him upon the Committee, as it would oblige the Government to reject the whole of those already appointed. He would therefore vote against the motion.

Mr. PATRICK thought the reason why the Hon. member for Toronto was omitted was, because he understood the financial affairs of the Province too well. (Hear, hear.) He might be troublesome—(Laughter)—and was therefore excluded from the Committee. He would vote for the amendment.

Mr. J. CAMERON said the number of the Committee was sufficient. An addition would be superfluous.

Hon. Mr. FOLEY would cheerfully resign his seat to make room for his Hon. friend from Toronto.

Hon. J. S. MACDONALD believed the House had the power in some degree to regulate these matters, and the Opposition party had the right to demand a proper respect for their leader, who understood more of financial affairs than all the House put together, excepting the Hon. Minister of Finance himself. If the Government excluded the Hon. member for Toronto, it would naturally raise a suspicion that there were some things that had better not be too closely examined. He should be pleased to see his Hon. friend placed on the Committee.

Major CAMPBELL deeply regretted the course the Government thought to pursue on this occa-

sion. (Hear, hear.) The Hon. member for Toronto ought not to be refused a place on the Committee unless some plausible reasons were assigned for such an action. Nothing was of more importance than to have a thorough examination into the public accounts. (Hear, hear.) He was surprised that the Government did not take every means to facilitate such an examination, even to the extent of allowing the leader of the Opposition party a seat on the Committee.

Mr. MOWAT had heard but one reason for objecting to the motion of the Hon. member for Waterloo, and that was that as the House had indirectly appointed the Committee it was therefore bound to adopt its report. Such a rule was never observed. The Hon. members for York and North Leeds had both acknowledged the ability of the Hon. member for Toronto, and could not justify themselves if they voted against him. Those who had most carefully investigated financial matters were the best entitled to serve on the Committee on public accounts, and it was an outrage that personal feeling should be allowed to exclude them. Such injustice tended to increase the feelings of animosity between the Canadas, and would not be submitted to. It was on account of such treatment that they heard opinions expressed about the desirability of a separation of the Provinces. He should vote for the amendment, and believed that any member of the Opposition, on that Committee, was ready to resign his place if necessary, to make room for the Hon. member for Toronto.

Mr. DUBORD said the Government was sure to exclude from the Committee any gentleman who made himself too prominent in its proceedings. He understood perfectly, from experience, why Mr. Brown was excluded (Laughter.) He should vote for the amendment.

Hon. Mr. DORION asserted that any one who made himself prominent as a member of the Public Accounts Committee, was sure to be struck off, at the suggestion of the Government, —a course at once unfair, tyrannous, and unwise.

Hon. Mr. THIBAUDEAU regretted that the Hon. member for Toronto had been struck off the Public Accounts Committee last year and now, but in excluding the Hon. member for Quebec, (Mr. Dubord,) who had taken advantage of his position there to indulge a malignant, personal spite against Mr. Baby, whom he had sworn he would ruin, they had only done what they ought to do—that was, supposing they had exercised their influence to exclude him. Mr. Baby was a man who was just and equitable, always inclined to do the right thing, and yet the Hon. member for Quebec lost no opportunity of maligning him, as he had done Mr. Chabot. Private hatred was Mr. Dubord's ruling motive in this—he said it on his full responsibility in and out of the House. Mr. Dubord, moreover, had a similar vengeance in view, when he supported, last session, a Government in whom he had no confidence, and, by voting in favour of Ottawa committed treason against the city of

Quebec. (Hear.) He then alluded to a bill which the Hon. member had endeavored to have introduced, in order that in the case of a Mr. Hafmann, he might save his pocket from loss.

Mr. SPEAKER—The Hon. gentleman must confine himself to the motion, not discuss a bill.

Hon. Mr. THIBAudeau said he had expressed himself thus fully to explain why he intended to vote for the motion of the Hon. member for Waterloo, while he would vote against another which he understood was to be introduced, to replace on the Committee the Hon. member for the city of Quebec.

Mr. DUBORD wished to say, as to the bill alluded to, that he was not a party to it, it had originated in the Upper House, and passed there and here unanimously. It was, moreover, a good one, and for the interest of Trade. As for Mr. Thibaudeau, who was a shining light in the dark—why, there must be a Marchedon in the House. (Laughter.)

Hon. Mr. CAUCHON had heard Mr. Dubord say to an Hon. member of the House, that he had introduced the bill in question for his own advantage—although, of course, he had not appeared to move in the matter.

Mr. D. ROSS said in reference to the bill, that it was a good one, and, whether the Hon. member for Quebec had profited by it or not, he ought not to be blamed.

Mr. TURCOTTE would not discuss the bill, he would, however, say that the Hon. member for Quebec had displayed so much passion and prejudice last year, as to render it right in his opinion, to exclude him from the Committee now. As for the Hon. member for Toronto, they did not object to him because he was the leader of the Opposition—there were other leading members of that party whom they were happy to see on the Committee—but because he was the enemy of the great majority from Lower Canada.

Hon. Mr. LORANGER had been one of the appointing Committee, on which he had voted for the nomination of the Hon. Mr. Brown, because he thought that if, in any place, the vexatious quarrels between Upper and Lower Canada ought to be excluded, it should be in the Committees of the House. In Committee, the majority had come down with lists, and there had been no difficulty until they got to this Public Accounts' Committee, when a motion to add the Hon. Mr. Brown to the list met with a decided refusal on the part of the majority— a despotic act, for which they gave no reasons.

Hon. Mr. SICOTTE was ashamed that there should be, on the part of any Lower Canadian, any unwillingness to see the Hon. member for Toronto placed upon any Committee. He could not conceive how any one thought the Lower Canadian language or religion was in danger from such an appointment. He was sorry to see such a disposition to act from caprice. And such discussions as the present lowered the character of the House, which ought not to take personal dislikes into account.

Mr. ROBLIN remarked that the *Globe* had said the Government were defeated in their attempts to pack the appointing Committee, for that the House had named the Committee, and "a perfectly fair one had been struck." Yet the Opposition were now dissatisfied with this "perfectly fair Committee's" Report.

Mr. MCGEE said Mr. Brown's specialty lay in the matters which came before this Committee, and he ought not to be excluded from it. He had done good service on that Committee the first Session of this Parliament,—had been industrious, and regular in his attendance. It was to be hoped the Government would recede from the position they had taken.

Mr. A. P. MACDONALD would vote for the motion. The people of Upper Canada, he thought, had begun to disbelieve the statements made in the Hon. Gentleman's paper, yet he ought to have an opportunity—as the leader of the Opposition—of making the fullest enquiry into the Public Accounts.

Mr. ROBINSON would vote against the motion. The Hon. Gentleman had not known how to respect himself when on that Committee before. He had constantly endeavoured to do an injury to the finances of the Country, and really had succeeded to a certain extent for a time.

Mr. POPE said a careful investigation of the Accounts was what all desired, and no extreme man ought to be admitted to the Committee. He would move in amendment that the name of the Inspector General be struck off.

Mr. MACDOUGALL thought it would have better become the junior member for Toronto if he had refrained from making the observations which he had done. It would have been more satisfactory if he had shown some instance in which the conduct of the senior member for Toronto had been prejudicial to the financial interests of the country. But he (Mr. McDougall) believed that much good had resulted from it. Had they not the authority of the Minister of Finance for the statement that, on his [Mr. Galt's] entering office, he had found the finances of the country in a most disorganized and unsatisfactory condition? Then, it had certainly been an advantage that, in consequence of the conduct of the senior member for Toronto, the Hon. member for Renfrew had been displaced by the Hon. member for Sherbrooke as Finance Minister.

The amendment to the amendment was then put, and lost on a division.

The House then divided on the amendment, which was lost.

Yeas—Messrs. Dubord, Langevin, Campbell, Holmes, W. Scott, Sicotte, Loranger, Thibaudeau, Pope, Lemieux, D. Ross, Patrick, Wilson, Harcourt, A. P. McDonald, Biggar, McDougall, Piché, Foley, Wallbridge, D. A. McDonald, Matice, Cook, Stirton, Rymal, Monro, Gould, Dorion, Mowat, Connor, Aiken, Walter Powell, Burwell, Clarke, Somerville, J. S. McDonald, Notman, Bell, Hébert, Bourassa, Bureau, Wright, Gorland, White, McGee, Laframboise, Papineau, Jobin, J. M. Ross, Finlayson,—50.

Nays—Messrs. Cartier, J. A. McDonald, S. Smith, Sherwood, Rose, Galt, Alleyn, Morin, Morrison, Burton, Ferres, Whitney, McBeth, Simpson, Cayley, Benjamin, Carling, Price, Lacoste, Fournier, Dufresne, Dunkin, Turcotte, Playfair, Webb, Robbin, McMicken Panet, Loux, McCann, Baby, Simard, Tett, Heath, Meagher, John Cameron, Robinson, Tasse, Archambault, deBoutillier, Laporte, Daoust, Sincennes, Cauchon, Gowan, Fergusson, Beaubien, Coutlée, Gill, R. Scott, Dionne, Gaudet, Labelle, Chapais, Cimon, Fortier, W. F. Powell,—57.

Mr. FOLEY said his Hon. friend from Toronto and the Opposition had reason to be proud of the fact that they had a majority of ten from Upper Canada on this division.

The original motion was then put and carried.

PUBLIC EMPLOYEES.

Mr. CIMON moved, seconded by Mr. PICHE, for a Select Committee to take into consideration the Return to an address dated the 21st February, 1859, on the subject of the employés in the different Public Departments, with power to send for persons, paper and records, and to make and prosecute their enquiry concerning all the public employés, without exception, who receive a remuneration from the Province—notwithstanding the omission of their names in the Return to the address of the above date, the said Committee to report from time to time to this Honorable House. In support of his motion the Hon. member said that last session he had deemed it his duty to move for a special Committee to enquire into the number, the salaries, the origins &c., of the different persons employed in the public service; the Committee was granted, but it did not close its labours soon enough to bring in their report, and he would therefore now move its adoption. The report was unanimously concurred in by the Committee which was composed of three members of French origin and three of English. The committee in the course of investigations ascertained that, until the present Parliament, the recommendations of the Clerk of the House had always been acceded to in the appointment of offices, and that the present Speaker was the only one who had made such appointments without consulting him. The number of persons now employed in the House was 66, exclusive of messengers, of whom 40 were British and 26 of French origin, the latter speaking both languages; while only seventeen of the former possessed that qualification. There were eleven heads of offices of whom only two were of French origin, including the Chief Messenger, and of the nine others, five spoke English only. There were fifty-one permanent officers, and of them twenty-two were of French origin, receiving \$26,610; and twenty-nine British, receiving \$42,840. The average salaries of the British were \$1,477.25 each; that of the French \$1,209.51; which gave to each man of English extraction \$267.74 more to the French. Besides these sixty-six there were twenty-nine

Messengers, including the Pages, seventeen being French and twelve English. Here, at least, the French Canadians were in a majority, and no doubt this satisfied those who had the remuneration of these men, since they thus showed their *animus* towards the inferior race. With these facts in view, the Committee thought it their duty to recommend that hereafter, as previous to the assembling of the present Parliament, the choice of the employés should be made on the recommendation of the Clerk of the House, and that in all nominations it should be imperative that the parties should speak both languages, and that both races should be equally favored as well in respect of numbers as of emoluments. The Lower Canadians only desired justice, but they found that the Government, trusting to their willingness to assist them in carrying on the public service, had not feared even in Lower Canada, to appoint a majority of English speaking persons to employments; although by the last census there were in this section of the Province 669,528 inhabitants of French origin, against 220,733 of British origin. Contrast this with Upper Canada, where not a single person of French origin was so employed, although there are 26,417 inhabitants of French origin. In the Post Office at Montreal there were twenty-two clerks, sixteen of whom were English, receiving \$11,560, and six French receiving \$4,920; thus giving \$6,640 more to the British, while the population (by the census) consisted of 26,020 French, and 12,494 of all other origins. At Quebec in the Post Office, there were sixteen Clerks, eight French and eight English; the English receiving \$7,060, the French \$5,149; giving the English \$1,920 more, and to each of them \$882.50, while the French got \$642.50 each; that is, \$240 more each for the British. Yet, the population of Quebec showed 24,506 French, and 6,985 of all other origins. Then, in the Post Office Department, itself there were 49 employés, 48 of whom were English, and 1 French—the British receiving \$46,360, the French Canadian, \$900, or an average to the British of \$965.86, while the only French clerk receives \$900. If the House permits, the Committee will proceed in the same way through all the Departments, and it will probably be difficult to explain why, in the Inspector General's Department, there is not one single French Canadian among the 15 clerks. Perhaps this arises from the belief that they are not worthy of being entrusted with the knowledge of the way in which the money matters of the Province were administered. It could not be urged that the French Canadians were incapable of filling such places, as it was an undoubted fact, that they were better educated than those of British origin. In the Department of Public Works, an important one, there were only 4 French out of 18 employés, but the salaries had not been furnished to the Committee—probably because they were so small—but of course they will ascertain what they are. Then as we are scrutinising, let us see what the Constitution of the Ministry itself is. Of 10 Ministers, 2 are

of French Canadian origin, and 8 British, hence, no doubt, the preponderance of British interests. Why, even the agent of Woods and Forests for the District of Saguenay gives his licenses in English only, although few persons there understand that language, and all do the French. The Custom House Officer at Tadoussac does not speak French, and his assistant, the Inspector of Fisheries, hardly understand it, and yet, these gentlemen have almost exclusively to do with French speaking people. And to show how little the feelings of his district were consulted, he would just say, that when the Inspector of Fisheries had a suit to bring, he always did so before Mr. Radford, who had charge of Mr. Price's establishment, and who does not speak French, from which it followed that the judge and the accuser spoke a language that the accused did not at all comprehend. In this way he was left without defence, neither understanding nor being understood, and the first news he had was, that he was condemned to pay the fine, and in default of payment, to be imprisoned. He would put it to the members for Upper Canada, whether, if an Inspector of Fisheries were appointed who did not understand English, and who would prosecute them before a magistrate who only spoke French—the people there would not raise a cry against such an injustice? Nevertheless, such was the state of things here. He hoped then that both sections of the House would render that justice, in the premises, which was required, and which he was sure the members for Upper Canada would insist upon under such circumstances. In 1848, the Tory party cried out against French domination which led some gentlemen in Hamilton, whom he did not know to prepare a statement showing how unjust was the allegation. From that paper it appeared, that out of 320 persons employed in the Custom's, and receiving \$114,184, there were only 5 French Canadians who received \$1,880, giving a surplus to those of British origin of \$110,424. There was then paid in all to persons of British origin \$357,682.50, while those of French origin received \$80,704.70, giving a surplus to the former of \$276,978. Among these were not included the numerous local public servants of Upper Canada, all of British origin. Nor was account taken of the patronage of the Public Works which amounted to \$576,000, whose officers, were almost exclusively of British origin. When this statement was made there were 10 ministers only 4 of whom were French. There were then also 56 members of the Assembly of British origin and 28 French. To-day in Lower Canada there were 44 members of French origin, and 21 British, while the whole 65 of Upper Canada were British. After the recapitulation of these facts he thought himself justified in proposing the adoption of the Report, and in hoping that, if any opposed it, the minority would only be composed of an insignificant few who always favored injustice. In conclusion he thought the Clerk of the House should make all the nominations, and that it would only be right. He did not intend to wound the Speaker in with-

drawing from him the privilege he had appropriated, for he [Mr. Cimon] could well imagine the difficulties he experienced in the choice of his subordinates, particularly when the great number of applications was taken into account, members for Upper Canada themselves had an interest in preserving to the Lower Canadians their rights, as the 500 heroes of Chateauguay, who fought for those rights, and besides had not the French Canadians first Colonized the country? The conquerors of the 7,000 Americans will not have to blush for the degeneracy of their descendants if the occasion should ever compel them to stand for their rights. He did not wish these remarks to be taken in the light of threats, but he desired Hon. members would understand that the French Canadians understood the necessity of supporting each other in order to maintain their mutual preservation.

SECRET POLITICO-RELIGIOUS SOCIETIES.

Mr. McGEE moved,—“That in the opinion of this House, no avowed leader or chief of any exclusive, Secret, Politico-Religious Society, ought to be entrusted with the prosecution of justice on behalf of the Crown, in this Province.” In the first place he would say a few words in relation to the terms in which this Resolution was couched. There were secret societies which, so far as he knew, though he could not speak with any experience, never having been a member of any secret society, were not exclusively sectarian. He had known, for example, very excellent men in the private relations of life; he had also known members of the Church to which he belonged, members of the Society of Freemasons, and some in the United States members of a Temperance Order. There were Societies which devoted themselves to works of benevolence and charity, and held their members together by certain bonds only intelligible to themselves. But he had never heard any good reason why these Benevolent Societies should observe this secrecy. However, this was their own affair; if they believed their secrets necessary to preserve their fraternity and to preserve their objects, it hardly rested with the community to find fault. The Societies, therefore, that were devoted to purposes of benevolence—the Societies that might be called Reformatory, Societies which were devoted to the spread and encouragement of temperance—in so far as they were not exclusively Sectarian but admitted into their ranks all classes of people, no matter what might be their religious or political opinions; these Societies were not included within the terms of his resolution. There were only secret societies of a peculiar class that could come under the terms of his Resolution—that was, exclusively secret, politico-religious societies.—Societies making up in their objects and in their ritual, and in the authority which they pretended to exercise, both as a religious element and for a political purpose, bringing in the sanction and the name of religion in order to give a greater importance to their politics and to serve the interests of religion. Of societies of this

description, he knew but one in this Province. That one was sufficiently known in the history of the Province to be easily traced from its commencement, and it was known from its commencement, not in this Province, but without it. There might be others but he did not know of any. But he had declared in this House last session, and he declared again at this moment that he was not aware of any Secret Politico-Religious Society existing among the Roman Catholics in this country. He had heard—indeed he had read a report presented to this House—that there was a lodge among the Roman Catholics existing in one county,—the County of Lotbinière. He had heard, also, that an Association of young men, who denied, however, that they were secret or sworn, established in Toronto after an *emette* in the streets in the month of March, 1858. So far as he knew, these were the only two specks which he was aware of in the Roman Catholic body, but of these societies none of his friends had any personal knowledge. There was, however, in the City of Montreal, where he resided,—there was, in some of the adjoining townships, to be traced here and there—there was to be traced in some of the adjoining counties, the presence, not of lodges, but of troops of men who acted under the auspices of agents sent out from whatever might be the central authority in Montreal. In the neighbourhood of Ottawa—the city to which it was proposed that the Seat of Government should be removed—it was well known that there were numbers of lodges, to which even members of this House belonged, and which members it was well known had, during the present Parliament, absented themselves from their Parliamentary duties in order to head a Grand Lodge in the City of London, giving the preference of their time and labors to a secret organization in preference to their public duty, and actually afterwards having the audacity to plead this on the floor of the House as an excuse for their absence. The other day he read in the *Kent Advertiser*, a statement to the effect that the propagandists were going through the country endeavouring to establish Lodges. As to the extent of the institution, they might form some idea from the fact that, nearly 1,100 warrants had been issued by the Grand Lodge, giving at a moderate calculation, some 50,000 organized men, though he believed they claimed 100,000 men. It was therefore, a matter of great importance, to know something of this institution, and the patience of the House would not be ill employed in devoting an evening to its discussion—to the discussion of the existence and objects of an organization, which had engaged the attention of two committees of the House of Commons, in 1835, and which in those days was the subject of a Special Address to the throne—and to an inquiry whether it contributed to the peace, the prosperity and the welfare of the country, and whether it produced ill-will, feuds, and litigation. In bringing forward this question, he should prove himself a very just histo-

rian. It was a matter of such grave concern that personalities were lost sight of in the greatness of the public interests involved. There were documents published of the Irish origin of the society, and he might entertain the House with a tale of scandal. But these were aside from the main issue. His argument was that this was not an institution of Canadian origin—that it did not spring up in this country—that it was imported into this country in the worst spirits. Fortunately, he could give some of the solemn oaths of the order from its lowest to its highest degrees. It had its origin in the heart of the country of Armagh, in the Province of Ulster, Ireland, and the first lodges were Agrarian arising from the dissatisfaction of a dispossessed proprietary with the then proprietors of the soil. The Society was founded on the 21st Sept., 1795, after a faction fight, called after the place where it took place, the battle of the Diamond. This has been celebrated as the Marathon and Thermopylae of the Institution, previous to that day this Agrarian Society—for the whole of the landholders, the Earl of Gosford at their head, denounced it as such.

Mr. GOWAN—Do you say they denounced the Orange Society?

Mr. McGEE—They did.

Mr. GOWAN—I deny it.

Mr. McGEE—It changed its name on the day of the "Victory." The charters the lodges held were called in; the Society remained the same, but it took the name of Orange, in honor, as its members commonly supposed, of the Prince of Orange. He (Mr. McGee) had one or two observations to make on that name and its use. The Society pretended that they represented the principles of the Prince of Orange—glorifying him as the exemplar of their Order. One would almost have supposed the Order had been founded by him, that Bentinck or some of his Ministers, or Burnet, or some of his Divines, who possessed his confidence, had framed its Constitution. But it was a hundred years from his time, and further off in degree than in time, that the real foundation took place. He would now repeat what, in a lecture delivered in Quebec many years ago, he had said, that he honored the political character of the Prince of Orange; that he thought the liberties of England were, in a great degree, due to that great Statesman and illustrious Captain. The Prince had many great and admirable qualities, and the two noblest eulogiums ever paid to him, were paid by two Roman Catholics; one by Bishop Bursaway, the other by Lord Duncan—both couched in most glowing terms. If the Prince of Orange had been alive at the time of the battle of the Diamond, no man in England would have rebuked more readily the spirit which led to it. The Society prided itself on its great antipathy to Popery. The Prince counted Pope Innocent XII, as his most intimate ally. Roman Catholics who were ignorant, probably thought the Prince to be, as he was represented to be, by the Orangemen of this day. Educated Roman

Catholics thought otherwise. Were there a celebration to-morrow in honor of what he had done for liberty, he (Mr. McGee) would be proud to attend it. He believed indeed, that the hand of the King had pressed heavily on Ireland, but he was to be honored for what he had done in England, namely, the restoring to the Constitution the limitation of the Power of the Executive. Now, as to the selection of the anniversary of the Society—it celebrated the great battle of the Boyne, and in so doing, its *animus* was apparent. He should like to know where, in any country, any body of men who professed to be friends to their neighbours, had selected for celebration the anniversary of a battle of any of their civil wars? Where, in England, were there found societies which, in the days of Henry VIII. or Elizabeth, celebrated the Battle of Bannet or of Wakefield, or of any other, fought during the Wars of the Roses? Did we here find, in the anniversary of the surrender of Quebec, that the French flag was hauled down and the British hoisted—although it might be argued that that would be of no signification, as nobody now thought the country had suffered through the change of sovereignty? Well, such being the *animus* of the society; he would now allude to the opinions entertained of it by men who lived at the time of its origin. Edmund Burke was the personification of all that was Conservative in the last ten years of the last century, who preserved the British Constitution during the Gallo-mania of that day. After his retirement from public life he was often consulted by Pitt, who availed himself of the great powers and facile pen of the great statesman. Now Burke, in a letter to Pitt, published on the 18th January, 1796—a few months after the society had sprung into existence—spoke of it in terms almost of alarm. Lord Gosford, too, denounced it, and had stated that seven thousand Catholic families had been driven in the course of a few months from that one County of Armagh, by that organization in the 1st year of its existence. Similar accounts of outrages were to be found in the Memoirs of Grattan. Petitions were presented in the Irish House of Commons in 1779, for the prevention of the lawless and violent depredations of mobs formed by members of that secret society. Time would not allow him to detail the various distressing events of that period, but several interesting reports on the subject could be found in the *Edinburgh Review* for January, 1836. One remarkable fact in its history, was the rapid spread of the society from an obscure County of Ireland, over the whole country, into England and among her sailors and soldiers to almost every part of the world in which they were stationed, where there were men enough to form a lodge, extending thus to the shores of the Mediterranean, to Naples and even to Rome. They had a thorough organization and employed as agents, persons of no mean rank whose commission was to establish lodges wherever it was possible. Among the persons thus employed were Col. Fairman and

Mr. Haywood, of Sheffield, and holding a high office in the Society at that time was the Duke of Cumberland. The Society at that time boasted of its loyalty, yet it would have preferred the Duke of Cumberland to her present Gracious Majesty, and would rather have had Ireland with a separate Government, a kingdom by herself. Of the effect of this large society, it was remarked by Emmet that wherever the Orange system was introduced the number of United Irishmen increased ten-fold. Mr. McGee here observed that he was sorry to see the Ministerial benches almost wholly deserted, but he could assure Hon. gentlemen that, whether of interest to them or not, the subject was of very great interest to a large portion of the country. After the year 1800, the next great event in the history of the Society of Orangemen was the Parliamentary Enquiries in 1835. For the present purpose the most interesting event was the introduction of the Orange Society to Canada. The first record of its advent was in 1829, when James Anderson a sergeant in the 66th regiment was known to have been in communication with the Secretary of the Society in Ireland. In the year 1832, a Mr. Gowan, for some time supposed to have been the first Orangeman in Canada, applied to the Grand Lodge of Ireland requesting his own appointment as Grand Master of the Society in Canada. Well, how was his application received? This would be seen by a Report of the Grand Lodge, printed at Toronto in 1853, in which the reasons for such rejection were fully stated. It is enough that he was rejected. He alluded to these papers to show that the Order existed there in 1832, and that it was then contemplated to give it, it appears, a more extensive spread. He had no desire to intrude into the personal disputes which shortly after arose in the camp, nor to the struggle between Mr. Gowan and another gentlemen for supremacy. He had traced the use and progress of the Order in Ireland, and its introduction into Canada from Ireland, for it was quite clear that the first lodge was affiliated to the Institution in that country. His first argument was that the Order was not Canadian, nor of Canadian growth, and was it fair that a portion of the emigrants from Ireland should use their first efforts on arrival in introducing and perpetuating the feuds which had disturbed the country whence they came. He was glad to know that many of them did leave such feelings behind them, and for his part, ever since he had set his foot in Canada, he had never by word of mouth, or by anything that had followed his pen, aided in keeping them alive. He had always spoken of the country as a whole, and exhorted his fellow country-men to get rid of their prejudices, and to cultivate peace and good will. The first experience that Canada had had of the Order, was said to have been in 1838, and he understood that it glorified itself in having put it down, but this was not correct, for he found that Chief Justice Robinson had shortly after published a pamphlet in London, in which he stated that the Roman Catholics of Upper Canada had,

throughout the Rebellion, remained loyal to the Crown, so their exclusive loyalty was not the prerogative of Orangemen, and therefore he did not see that, in order to make men loyal, they needed to be sworn and decorated, and tied with cords, and have W. W., inscribed on their garments. He understood that these mystic letters were employed in making a Knight of the Purple---perhaps they meant Knight of Whiskey and Water. During the rebellion Lord Glenelg, then Secretary for the Colonies, transmitted a Despatch to Sir Francis Bond Head, the then Lieut.-Governor of Upper Canada, on the subject of Orangeism, in which he said that, while in the parent country the Government were endeavoring to allay the evils created by religious differences, he was sorry to find that some of the Representatives of the Crown in the dependencies of the Empire were acting in a way calculated to increase them, and, without supposing that he (Sir F. B. H.) had erred in this way, he was cautioned so to act as not to lay himself open to blame in this respect. In consequence of this communication a question was submitted to the law officers of the Crown, whether certain proceedings of the Orange body were not illegal. The lawyers gave it as their opinion that processions were contrary to law, and might be suppressed. Such were the well known and settled views of the Imperial Government on this subject, and the Governor had addressed a circular to the Magistrates in the District of Bathurst, enclosing these opinions. On the 24th June, 1839, Sir George Arthur had also addressed to the Magistrates a letter in which he spoke slightly of the Order and reminded them of the dismissals which had taken place in the Mother Country on account of connection with Orangeism. The letter went on to say that the Institution had originated in circumstances that had passed away, and expressing surprise that any real lovers of the country should countenance or encourage it. He had now quoted the opinions of high and distinguished personages in Great Britain and the Province, and he would now give the opinions of the *Times*, the great leading paper of England, the Saturday Press, the organ of Lord Derby, and the Dublin *Express*—all papers exercising a large influence [Mr. McGee here read extracts to show that these papers considered it was wrong to place Orangemen on the Bench, and that the influence of the Order was injurious to public peace and order] Was it right then, he would ask, for the Government in Canada to entrust the business of the Crown to a member of such a society." So much for the past; he now came to the present organization of the order in Canada, and wished to prove that, in the words of his resolution, the society was an Exclusive Secret Politico-Religious one. How was it that the by-laws were not to be bought anywhere for a reasonable sum, and that he was obliged to the kindness of a friend, for the book he held in his hand "Form and Ritual of the Royal Scarlet Order" printed by Alex. Jacques, printer to the G. L. S. O. B. N. A. ---and other letters.

(Laughter.) That was itself an argument as to its secret nature, of which the Hon. Attorney General East, last year, said there was no evidence before the House. Well, the Book said, "the candidate shall be introduced by two brethren, each carrying an Orange rod, &c.," then followed some phrases of Scripture—and all the texts contained some allusion to blood---blood was in them the leading idea. What had drawn swords to do with a peaceful institution? He could understand, if it were a benevolent society, how words from Scripture inculcating love might be used, although, indeed, the Church to which he belonged did not allow the sacred words of the Bible to be used except on the most holy occasions, not even when people met together for prayer, without direction. And now for the oath: A. B., the candidate, swore allegiance to Her Majesty, as long as she should maintain the Protestant religion—that was, of course, the Protestantism of the Church of England, since, undoubtedly, under the Act of Succession, Her Majesty would lose her right to the Throne if she became Presbyterian or Unitarian, or joined any other than the Church of the State, there;—and, thank God, we had no State Church here. This part of the oath limited the loyalty of the members of the Order to a degree less than even his, for he held that no change in the private opinions of the Head of the State, nothing short of irremediable tyranny, could justify the denial of allegiance. The next part was, "I swear that I am not and never will be a Roman Catholic." Such an oath, which he could not consider binding, was directly opposed even to the Protestant principle of liberty of private opinion. If a Catholic were to swear that he never would become a Protestant, how foolish would he be thought, to assert that it was impossible a change in his opinions ever would occur! Lastly, the oath ran—and this was the obligation to secrecy—"I swear that I will conceal and never reveal, &c., so help me God, and keep me steadfast in this my Orangemens' obligation."

Hon. Mr. FOLEY—Amen. (Laughter.)

Hon. Mr. McGEE would absolve his Hon. friend from any intention of making a jest of sacred things, since they almost lost their character by their association with this institution. An oath was the bond which kept society together; but to what base uses was it here put? The oath of an orangeman was but an engine of despotism; by it a man laid down his liberty, and sacrificed the right of private judgment of which those who belonged to the Order were so often heard to boast. Coming to the Scarlet Order, he proceeded to read a description of the ceremony of initiation, at which, it would appear the candidate was obliged to kneel while taking the obligation, on one knee bare. Fancy that fastidious gentleman the Hon. J. H. Cameron in this position, with his trowsers up. (A laugh.) He wondered whether the Postmaster General went on his bare knee when initiated, if so, he, doubtless, would have given anything to have had one of his mail bags, or even a copy

of the *Globe* under him. (Laughter.) He called the attention of the House to the fact that not only the Grand Master, of the Orangemen, Mr. J. H. Cameron, was employed by the Government as Crown Prosecutor, but that all the County Attorneys recently appointed in Upper Canada, are officers or members of this mysterious society.

Hon. Atty. Gen. MACDONALD.—That is not the case: it is simply false.

Hon. Mr. FOLEY.—Is not Mr. Dempsey an Orangeman?

Mr. GOWAN named two County Attorneys who were Catholics, and asked the Hon. member for Montreal to go on naming the Orangemen, and he would name the Catholics who had been appointed to the office in question.

Mr. McGEE submitted he had proved from its past character, as well as the documents published by the Order that the Orange Association was an Exclusive Secret Politico Religious Society. As to its acting in elections, every one knew that it often times influenced them not only powerfully but unexpectedly, and visited with severe pains and penalties, those who did not vote as they were directed. Was it not the case that at the North Wentworth election, men were brought from another County who presented any but the candidate favoured by the order, from being heard. He might instance an outrage on liberty of speech by Orangemen, in relation to himself, but he would not further refer to it, than by saying the persons concerned came from a distance, men under distinct commands, and went away when they had accomplished their purpose. Did not Orangemen also impulsively interfere in the administration of justice? At the trial of the Orangeman Miller, for the murder of Farrell at Guelph, was not Chief Justice Robinson obliged to say there was a mysterious influence at work? The Orangemen also paraded through the country armed with flags and banners, and were styled, on account of certain doings at Arthur, "the regulators." Yes, 1,200 of them armed, caused 200 poor Catholics to flee from the village, and for this valiant act they were called the regulators by the Toronto *Patriot*, a paper published on types, the first of which was paid by the Government, for it was well known that journal was but an evening edition of the *Leader*, with a few paragraphs added of information interesting to the Brethren. The Hon. gentleman concluded by saying that was a dangerous system which allowed the criminal justice, in most important parts of Upper Canada, to be administered by a man who held the office of Grand Master of the Orangemen. His obligations to the order—an order which he had shown excluded from its ranks, not only Roman Catholics, but large classes of Protestants—must so shake public confidence in him, as to render him a very unfit person for such a position. He very much feared that the encouragement given to the Society by persons in high places, would

have the effect of leading to the establishment of counter-associations—a thing which would be very much deplored, as the evil would thereby be increased and perpetuated. He did not wish to see any legislation on the subject; he relied on the operating of public opinion, rather than on penal enactments, for the suppression of the evil, and if legislation were proposed, he would be the first to vote against it.

Mr. GOWAN said the Hon. gentleman who had just addressed the House, had closed his observations by reminding them of his great influence, and the worthy and peaceable manner in which it had always been his pleasure to exercise it. He (Mr. McGee) was in the habit of keeping the House constantly aware of his extraordinary power, and had, on a late occasion, told them he was the leader of three hundred thousand men.

Mr. McGEE—No! The Hon. gentleman had misunderstood him. He denied having made such a statement.

Mr. GOWAN said that, as the Hon. member denied having said so, he would abstain from further remarks upon it,—but whether he (Mr. McGee) had a great influence or not, even his friends would agree that, at the very opening of this Session, he had made a very injudicious speech—so injudicious, that it had been supposed the Hon. member must, at the time, have been under the influence of the contents of some mysterious W. W. bowl. (Laughter.) And if he had then shown indiscretion in his speech, he had now made a most injudicious motion. He (Mr. Gowan) was pleased that he had made such a motion, for there would be no more doubt as to the exact position of the Hon. gentleman. We should know who were on the liberal and who were on the narrow side in politics and in religion. The Hon. member for Waterloo was very indignant that Upper Canada should be ruled by Lower Canada, yet here was a motion calling upon them to legislate in a spirit of direct hostility to a great majority of the people of Upper Canada. The Hon. gentleman moved, that in the opinion of this House, "no avowed leader, etc." Who were the leaders of that Association? The Hon. member for Hastings, the Hon. Mr. Cameron, and he himself had been named as leaders; but the truth was, the Orangemen were such intelligent men as did not need the advice of any leader. (Hear, hear.) The Hon. gentleman had been very severe on the secrecy of the Orange Society, but he (Mr. Gowan) could assure him that properly speaking the Orange Society was not a secret Association; there was nothing secret about it. Their books of the Association, one of which the Hon. gentleman had procured with so much difficulty, were advertised in the public papers; their meetings and the resolutions adopted were all announced to the public; even the rules and regulations of

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Thursday, March 8, 1860.

SECRET POLITICO-RELIGIOUS SOCIETIES.

(Concluded from our last No.)

the Society were all open and public, as well as the names of all its officers and members. Hundreds of Societies, and even the Church of which the Hon. member himself was a member, were more secret than the Orange Association. Were not the priests of the Roman Catholic Church, and the ministers of the Protestant Church bound by vows of fidelity to their respective churches? There was nothing more secret than that in the Orange Society, and none of the oaths taken by members of that Society, permitted even the wish to prejudice or injure persons of any religious belief whatever. There was a great deal of difference between Orangemen and Ribbonmen. The Orangeman was bound to aid the civil and military powers when called upon to do so. He was obliged by his obligation to act as a Special Constable, if called upon to do so, at the peril of his life. How then could it be said that the Orangeman was a breaker of the peace?

A VOICE.—How about the Wellington election?

Mr. GOWAN would ask Mr. White who was present on the occasion referred to, to state whether the Orangemen assisted, or encouraged any lawless proceedings on that occasion.

Mr. WHITE could say that as far as Mr. Gowan was concerned, he had received courtesy at his hands—but when Mr. Gowan was absent an attempt was made to break the peace, which fortunately failed—but he could not say that there were any Orangemen mixed up in it.

Mr. GOWAN called attention to the answer which the Honorable gentleman had given, which entirely refuted the statement made against Orangemen in that particular. Would it not be a nice thing, suppose that he [Mr. Gowan] were to charge all the people in Quebec

of murder because at an election riot in that city some persons had been killed, and yet Mr. McGee had accused the whole Orange body of the crime attending the death of a man in Toronto. Again the Hon. gentleman (Mr. McGee) had stated that in those places where the Orange Societies existed there was always disturbances. But to come to facts. In the county of York there were forty seven lodges—in Leeds there were forty, and yet those counties were not conspicuous for disturbances. Was there more violence in those counties than in other counties? The Honorable gentleman had read extracts to show that the Orange Institution had been condemned by the Parliament in England. But the Hon. gentleman did not tell the House that this occurred at the time when the celebrated O'Connell was the stay of any Ministry which could then be created; and that he (Mr. O'Connell) had made an express stipulation with Lord Melbourne, in return for his support, that Orange Societies should be put down. And it was in consequence of this that the Address was made to the King on the subject. However, for the one case which the Hon. gentleman could quote of legislation against the Orange Society, there were hundreds of cases which he could, if he liked, have quoted of addresses and legislation against the body to which he (Mr. McGee) belonged—the Catholic body. There was another subject which he would allude to for a few moments—namely, the action taken in the City Council in Toronto against Policemen. A law was recently passed there, prohibiting all the men in the Force from attending their Lodges—if Orangemen. It was a contemptible thing to make the poor, humble Policeman the subject of such a law. It was a mean thing to attack the Policeman, and to allow higher game to go free. The Sheriff, and the Judge, and the Jury might be Orangemen, but the poor Policeman must not. Again, the Hon. gentleman was very wrong in stating that Mr. D'Israeli opposed the Orange Institution. On the contrary, he supported it on many occasions

Referring to the remarks of the Hon. Member for Montreal, on the character of William the III. he (Mr. Gowan) quoted authorities to show that his toleration to Roman Catholics was marked and decisive. Neither himself nor any other Orangeman was ignorant of the character of that King William. They knew that he was no friend of intolerance, they knew well that he never sanctioned persecution in any form; and in adopting his name, and revering his memory, they were pledged to carry out the principles, of which he was the great champion—the principles of Civil and Religious Liberty. (Hear, hear.) The Hon. member for Montreal had referred to the opinions of Grattan and Emmett, on Orangism. The Hon. gentleman did not seem to be aware, that the former, although a Protestant, was the leader of the Roman Catholic party in Ireland, and for years presented the petitions of Roman Catholics, in the House of Commons; while the latter, it was well known, had been punished for treason. Why such men as these should be quoted as authorities against Orangemen he could not see. The Hon. gentleman also referred to the opinions of Vice-Chancellor Jameson and Justice Hagerman. But to what did those opinions refer? Not certainly to the Orange Society, but to processions, and they simply quoted the laws in reference to processions. The Hon. gentleman also read extracts from the *Dublin Express* and the *Times*; why, really, if any weight was to be attached to newspaper opinions on one side, then he could say that for every extract that Hon. gentleman could quote against the Orange Society, he would read hundreds in its favour. Then, as to the Orange obligation to support the Crown only so long as it was Protestant, he saw nothing objectionable in this. Every man's loyalty was conditional. The Hon. gentleman's own loyalty was no doubt so. True, his (Mr. McGee's) might be political, while his (Mr. Gowan's) was religious. There was nothing surprising in this, because the Queen herself held the Throne conditionally. But why did not the Hon. member say that the present Secretary for the Colonies, the Duke of Newcastle, was an Orangeman? He supposed that if the Prince of Wales were one he would not be received.

Mr. MCGEE—O! yes, he would.

Mr. GOWAN—But the Hon. member objected to the Orange Society because it was an exotic. Well, he (Gowan) did not know of any Society, unless it were the St. Jean-Baptiste, that was not an exotic; the St. George, the St. Andrew, and the St. Patrick were exotics, and if the doctrine of the Hon. member prevailed, they would all have to be suppressed. Indeed, neither that Hon. gentleman nor himself, nor any other person of foreign extraction, had business to be in the country.

Mr. MCGEE—Those were not secret societies.

Mr. GOWAN believed there were more secrets in the St. Patrick's Society than in the Orange Society. The Hon. member had alluded to certain evidence taken before the Committee

of the House of Commons, and had said that that evidence related to the Orange Society, but it was utterly incorrect, and the very papers before that Hon. gentleman informed him of the fact; yet, in the face of the denial of Lord Gosford, that his evidence had any reference to the Orange Institution, he had the boldness to produce it in this House against Orangism. The Hon. member had also appealed, in very strong terms, to the feelings of the House, to support his motion on the score of public order and peace, but he could tell him that, at one time, there was the most perfect good feeling between the Orangemen and the Roman Catholics, so much so, that Lord Durham mentioned it in his report; and it was well known that there was hardly a public dinner or party in Upper Canada then, that the name of Bishop McDonnell was not toasted.

Mr. MCGEE—The reason was that he was the greatest old Tory in Canada.

Mr. GOWAN—But this is avoiding the point. The hon. gentleman represents Orangism as hostile to Roman Catholics, and when it is proved not to have been, he takes political objection to his own Bishop. Chief Justice Robinson had stated what was quite true, for, as he had just shown, the people there, of all creeds, lived in peace and good fellowship, and the very fact stated by the hon. member, of the loyalty of the Roman Catholics may be found recognized in the report of the Grand Lodge at Toronto, in 1839. He might add that then in Waterloo, Mr. Kearns, a Roman Catholic gentleman, was returned to the Legislature, and in four other Constituencies now represented by Protestants, similar results had followed which were very much aided by the action of the Orangemen. But a different day came, and it was introduced by a discontented priest of the name of O'Grady, he believed, who had quarrelled with his Bishop, started a paper and ran for the City of Kingston, against Mr. Hagerman. This was the commencement of the trouble which had been since so ably followed up by the Hon. Member, and he could tell him that his fellow-countrymen were very much indebted to that agitation for the loss of their influence, and their inability to return one of themselves to Parliament for an Upper Canada county. Now as to the origin of Orangism, to which the hon. gentleman had alluded. He had not given the correct history of it. It was not at the Diamond, although there its Irish origin occurred. Its real origin was in England; it was first organized at Exeter, in 1788, and the constitution drawn up there in cypher, by Bishop Burnet, was almost identical with the declaration now printed in Orange Books. And he might inform the Hon. Member, that a Bill had passed the House of Commons, compelling all the Members of both Houses to be Orangemen. That was strong, was it not?

Mr. MCGEE.—Rather. (Laughter.)

Mr. GOWAN proceeded to narrate how the Orange Society had continued to extend in King William's Army, and read a number of illustri-

ous names who had been Orangemen, and then quoted the Act to which he had alluded, showing that not a single person was by it allowed to hold office, unless he were an Orangeman. He then mentioned that His Excellency Lord Seaton had received an address from Orangemen. The present Queen had also sent an official answer, accepting an address from Canadian Orangemen. Previous Sovereigns had also received Orange Addresses. The Hon. gentleman had made allusion to Mr. Cameron. There was no body who could lay his finger on the conduct of that distinguished man, and say he had abused his office for party or private ends. If the attack were meant as a personal one against Mr. Cameron, it would fall through. And even were the motion carried, it could not prevent the Crown from appointing whom it chose, to prosecute criminal business. He would not move his amendment, as intended, but instead, would prefer that the House should vote yea or nay on the original resolution.

Hon. Mr. FOLEY—The time of the House and the country had been very unprofitably employed in a bootless discussion. He, however, thought it better that there should not be a direct vote on the original motion, for which reason he had drawn up the following amendment:—"That this House feels, that the appointment as Crown prosecutors of parties, whether Protestant or Roman Catholics, who are members of secret politico-religious societies, must tend to diminish that public confidence in the impartial administration of justice, which it is desirable to maintain, but this House does not feel itself called upon to adopt an express resolution on the subject." Now let us take the case of the Bradford Mechanic's Institute, which invited the Hon. member [Mr. McGee] to lecture before them. If the facts alleged are true, it was a gross outrage. Yet the Grand Lodge at St. Catherine's have exonerated the brethren who are accused of having been parties to the wrong. And yet the Grand Master may be employed to prosecute the rioters. He did not care of what creed a man was, but it was impossible for a man in such a position to proceed impartially as prosecutor in such a case. He did not say any outrage had been committed, but as the Lodge at St. Catherine's had decided the matter already, how could the Grand Master, under oath, as he is, to sustain the interests of the Society, be properly employed for the Crown. Then there were a good many Protestants who were not Orangemen, who disapproved of the Society, and could they and the Roman Catholics have confidence in a Crown prosecutor who was an Orangeman. Under these circumstances, he thought the Government might, with great propriety, adopt a principle which would have the effect of removing the doubts and prejudices which could not but be entertained by the large proportion of the community he had just now indicated. He held that even prejudices should be respected if it could be done without damage. He would not, however, legislate against Orangemen, but would leave

their future to the effects of time, for proscription would only give them a greater power. Facts in the history of the Order, proved this; and he would therefore leave the correction of the evil to public opinion.

Mr. DALY—The Hon. member (McGee) had spent three days in the Library in hunting up old cases against the Orange Society, but he had utterly failed. If one class of men were to be held to reprobation, he did not see why other classes should not be alluded to. That Hon. member was the last man who should have brought up such a subject, and he (Daly) could show him, that upon subjects most dear to his people, the Orangemen had been most friendly to them, to wit, in the matter of Common Schools. Then, as to murderers being screened, the very case produced broke down, for the accused was not, and never had been an Orangeman. But that Hon. member was mistaken if he thought his agitation would injuriously affect the Orange Institution. He defied the Hon. member to prove any thing against the Hon. J. Hillyard Cameron.

Mr. WILSON—From the explanations given by the Hon. member for Leeds and Grenville, it really appeared strange that any difficulties should have arisen between Orangemen and Roman Catholics, for the former seemed rather to be the champions of the latter than of Protestantism. But the object of his rising was to explain the allusion to the Policemen of Toronto, who, while high functionaries were passed over, were said to have been persecuted by the Commissioners. The answer was, that the Commissioners had no control over the functionaries, but had over the Policemen, whom they did not ask to renounce their membership, but to abstain from attendance while they were Policemen; and he thought the regulation was a good one, which he hoped would not be relaxed. It was not, however, the invention of the Commissioners, for they had taken it from the Police regulations in Ireland, and the reasons for it were even stronger in Canada than in Ireland. The regulation was even more beneficial to the men than to the public, for while they continued in connection with the Lodges they were always exposed to suspicion. He was opposed to the resolution, and would go for the amendment.

Mr. GOWAN denied that the system of excluding Orangemen from the Police had operated advantageously. The Police records would show an increase instead of a decrease in the crime of the city; and the recent elections had shown public disapproval of the system, for the Municipal officers returned, had in many cases, been persons who were known to be opposed to the proscription of Orangemen.

Mr. DUNKIN could see nothing practical about the Bill before the House, which called upon them to resolve, that this House feels that the appointment as Crown Prosecutors of parties who are members of any Politico-Religious Society, must tend to diminish public confidence in the administration of justice, but this House does not feel itself called upon to

adopt any special resolution on that subject. Then the House deemed such and such things wrong, but did not feel called upon to say so! He thought the Bill downright nonsense, and a patent bull. (Hear, hear.)

Mr. FOLEY hoped the Hon. member for Drummond and Arthabaska would suggest something practical.

Mr. DUNKIN said the practical was at one time sufficiently tested to prove that the prescription of any class or society of persons tended directly and materially to strengthen the very party it was intended to suppress. He had always voted against Secret Societies, but if members or leaders of such societies were declared unfit for certain offices, there would be endless dispute in determining just what offices they were fit for. It was impossible to see where such proscription would terminate. He would therefore vote against this every similarly prescriptive measure.

Mr. McGEe had put the motion for the purpose of testing public opinion on the subject, and had a right to the vote of every member present. He had made no statements not supported by facts and history. He wished the House to observe that he had not attacked the Hon. member for North Leeds, and though basely slandered by that gentleman, he would not deign to reply in the same spirit, nor to charge him with the disgraceful conduct of which he could justly be accused. His (Mr. McGee's) opinions on the first paragraph of His Excellency's Address had been expressed, perhaps, a little too warmly and too candidly, and had furnished the Hon. member with cause for such ill-bred abuse as he (Mr. McGee) would certainly be ashamed to resent.

Mr. GOWAN gave the Hon. gentleman full permission to say anything and everything he could; he disliked insinuation.

Mr. McGEe did not think him game enough, (Laughter) and though the Hon. gentleman had apparently no regard for the feelings of his own friends, he (Mr. McGee) had, and must decline entering into that personal abuse in which his Hon. friend so eloquently excelled. (Hear, hear) The Hon. member for Perth had accused him (Mr. McGee) of influencing men by rousing their worst passions, but he denied that in aught he had ever written or spoken, or in any way advised, he had ever appealed to any but the highest feelings of the multitude, whether he addressed them in the country, or in their Parliament. He had the fault of speaking warmly, but it was not peculiar to him alone.

The SPEAKER put Mr. Gowan's amendment, and the House divided. Yeas 25, Nays 65.

Mr. DUNKIN, seconded by Mr. Dufresne, moved the previous question.

Hon. Mr. BROWN regretted the introduction of this motion by Mr. McGee, and felt it his duty to vote against it. It was always inadvisable to single out a particular class of persons for condemnation by the Legislature. Evil effects might have resulted from prosecutions having been conducted by persons whom the public

suspected to be biased by their connection with secret societies, even though they were not really so influenced. But it did not follow that a connection with such societies disqualified persons for particular offices, and no definite Parliamentary rule could be laid down in the case.

Mr. BUREAU said it was not a little singular to see men *a bonis principibus*, who affected such regard for the interests of Catholicity, and considered themselves the sole defenders of the faith, availing themselves of "the previous question," to shirk a direct vote upon a question which intimately concerned a society most hostile to all Catholics. However, a bill on the subject might hereafter be presented during the Session, which would give them an opportunity of proving whether they were really deserving of the character they assumed as the only friends of the Church.

The Speaker put the previous question, and the House divided. Yeas 23, Nays 64.

The House then adjourned, at one o'clock.

LEGISLATIVE COUNCIL.

Friday, 9th, 1860.

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

INCORPORATION OF PILOTS.

Hon. Sir E. P. TACHE introduced a Bill to incorporate the Pilots for and below the Harbor of Quebec.—Second reading on Friday next.

INTERCOLONIAL RAILWAY.

Hon. Mr. TESSIER enquired whether there has been, since the last Session of this House, any correspondence between the Government of Canada, on the one part, and the Imperial Government, or the Government of the Provinces of New Brunswick and Nova Scotia, or any Company, or any individual, on the other part; relative to the Intercolonial Railway, from Quebec to Halifax, or to the prolongation of the Railway from Rivière du Loup to the eastward, either in the direction of the line explored and traced by Major Robinson, or in the direction of the projected line towards St. Andrews.

Hon. Mr. VANKOUGHNET said that no written communications had been had with the Imperial Government, but that Messrs. Galt, Rose, Smith and Ross, when in England, had personal interviews with the head of the Colonial Department, on the subject. The result, so far, was not satisfactory, and the Government thought it better, as a matter of policy, not to address themselves again to the House authorities just now, both because they were not ready to listen to a fresh application for aid, and that another refusal added to those already given, would only render it more difficult to bring the question under their notice hereafter. They would be too apt to fall back upon their last answer, and say it should be considered as em-

bracing their views. He hoped, however, that, from the circumstances which have recently arisen, to bring the country more prominently before the English public. The Imperial Government would enter more fully into the subject, and give it that attention which it deserved. Personal interviews had also been had with some of the members of the Government of the Lower Provinces but, nothing further. They, it was well known, were ready to support us in carrying out the project, but also awaited the assistance of the Home Government. The House might rest assured that the question was not lost sight of by the Ministry, nor would be lost sight of, so long as they remained in office.

Hon. Mr. WALKER took occasion to say that he had always been favourable to an Intercolonial Railway. Thirty years ago, in the time of Sir James Kempt, a committee was appointed to consider the subject, but the estimated cost then frightened those anxious for the project. Now that we had proved by the Grand Trunk, what we could do in the way of Railroads, and knew the success which had attended that work, he thought we were likely soon to accomplish the Intercolonial road: a connecting line between Rivière du Loup, and the Lower Provinces, had become absolutely necessary, not only in a political point of view, but commercially.

CALL OF THE HOUSE.

The first Order of the Day was for a call of the House. The absent Members were:—Hon. Messrs. McGill, Ferguson, Hamilton, Goodhue, Morris, Gordon, Quesnel, DeBeaujeu, Ross, Wilson, Cartier, Dickson, Juchereau Duchesnay, Simpson, Dessaulles, Patton, and Hollis Smith.

MANAGEMENT OF PUBLIC LANDS.

Hon. Mr. VANKOUGHNET having moved the House into Committee of the Whole on the Public Lands Management Bill,

Hon. Mr. ALEXANDER said, that the general feature and object of the Bill could not but meet with the approval of Hon. gentlemen, and that all would be prepared to admit that the management of the Crown Lands Department, since the present Commissioner had been in office, had given the greatest satisfaction to the country. (Hear, hear.) A question, however, not less important than any raised by this measure, was, had the land policy of the Government been successful, had they been sufficiently liberal, had they been as energetic as they could in bringing about the sale of lands. A great feeling prevailed, whether correct or not, that we did not attract to our shores a fair share of the large stream of emigration from the Old World to the New; and it was even observed that the returns showed, not only that our emigration was small, but that many of the emigrants took the Grand Trunk and passed through our Province on their way to the Western States. We had to compete with those States which offered for settlement large tracts of prairie land but it was our interest to enquire how we could

outrival them in drawing a much larger share of emigration than we did. We had, in the Province, large districts capable of sustaining a large population, and not inferior in any respect to Michigan, Wisconsin, and the Eastern States, which were attracting so many emigrants. As regards position and proximity to market, they were vastly superior to the latter, without being obnoxious to any other complaints, on the score of climate or those evils which agriculturists felt, than might be made with reference to New York State. We should therefore strain every nerve to obtain these settlers who were elsewhere seeking another but not a better home. The returns from the Crown Land Department for last year showed that but a small sum had been made out of the public lands last year; the whole revenue being but \$422,000, and the expenses \$180,000, leaving a net revenue of only \$140,000. He questioned whether it would not be better to adopt a liberal policy, even if there were no returns; at any rate land should be given on such terms as it might be had for in the State of Michigan. He had been often told by his own farm laborers that they preferred going to Michigan to remaining in Canada, because lands could be obtained there much cheaper. Now, if this were not the case, if the lands could not be had cheaper than in this Province, it was clear sufficient means had not been taken to make known our land policy. He might not be aware of all the efforts of the Government in this respect, but it appeared to him that everything possible had not been done to shew, not only in this country, but in England, Scotland, and Ireland, which was the more favorable for settlement, Canada or the United States. Possessing such means for emigration as we did, no effort ought to be spared to let intending settlers know the advantages which this Province offered.

Hon. Mr. MURNEY said the remarks of the Hon. gentleman who had just spoken were best answered by the Report of the Commissioner of Crown Lands. The free grant system, as carried out by the Government, was most successful, and he knew of one place where 310 settlers had gone during the past three years, most of whom had complied with the terms of settlement, by building houses, &c., and were now entitled to their deeds. The reduced price of land also induced many parties to settle in Canada. He thought Government should adopt the system of the Michigan State authorities, by sending parties to the continent to induce emigration to this Province. For want of Agents in Europe to furnish through tickets, and point out to intending emigrants the advantages which Canada presented, we lost many settlers who would otherwise be very glad to come to this country.

Hon. Mr. VANKOUGHNET conceived that no subject could come before the House of more interest to the country at large, than that which now engaged the attention of honorable gentlemen. He felt that he could not be justly accused of any indifference to the subject of emigration.

On taking office he had caused a circular to be issued in relation to free grants of land, and for so doing had torrents of abuse poured upon him by the Opposition press, torrents which would have drowned a man less able to stand them than himself. No means were neglected to set forth truly, not fictitiously, the terms offered by Government for the settlement of our lands. In 1856 there was a great demand for labor, not only on the public works, but also on the farms, that year having been a prosperous one for the farmers. He took every means to avail himself of this demand, to encourage emigration. He enquired of the Reeves and Township Clerks, where he could find employment for emigrants, but did not receive any answer from one-half of the 400 of these officers to whom circulars were addressed. This shewed that they took little interest in the subject; but, notwithstanding, his information was that the demand for labor during the next season would be considerable, some 30 or 40,000 being required. In 1857 there was a large emigration, and in many instances where laborers had been asked for, upon reaching the localities, there was no one to receive them, and, after wandering about the Township for two or three weeks, they returned to Toronto, and the Department was obliged to forward them elsewhere. Nothing was more easy than to contrast Canada with the States, but few who made the comparison took everything into account. The individual States which had made efforts to some extent successful to turn the stream of Emigration, were assisted by land, railway and great shipping companies. We had no such advantages; we had no land companies, with the exception of the Canada and British American, and were without great shipping companies employing agents all over Europe, so that Canada was left to its own legitimate advantage as offered by the Government. Supposing that Government did introduce an indiscriminate Emigration of 20, 30, or 40,000 persons, (the whole number at New York last year was only 80,000) what could be done with them when they arrived here? what could the Minister of Agriculture tell them? What lands could be had in that part of the country where the hon. gentlemen (Hon. Mr. Alexander) came from, in some of the old settlements, for \$5, \$6, or \$10, an acre? He thought the hon. gentleman would feel puzzled to tell him what he could do with so many Emigrants in one year. It was different in the States: there, Emigration had been going on so long that there was very little difficulty in absorbing those who arrived from year to year. Not only was the Emigration more moderate to that country, but the vast prairies afforded a large and attractive field for it. Our position was quite different, and he felt from the first, and urged the adoption of the policy, that lands should be prepared for settlement as fast as they could, in all localities where settlers could go on them. The stragglers who had come to the country since 1857, had met all the demand for labor, and he thought it would be only cruel to bring

paupers here, knowing what employment there was for them in this country. It was not persons merely able to dig or use a spade who were required in this Province, but there were classes in England and in Europe whom it would be well to have, and whom we should induce to settle amongst us. Feeling there was no surplus demand for labor, that the supply was equal to the demand, he considered the proper course was to put the lands in such a shape as to attract a valuable class of settlers. The reference by the Hon. gentleman (Hon. Mr. Alexander) to the Eastern States was unfortunate; for, with the exception of Boston, there was no emigration into them; nearly all that came from Europe sought a home in the Westward, and passed through the State of Michigan, notwithstanding the great efforts it made to attract them by advertising in English and German papers and other means. As to the price of land, Canada compared favorably with the United States. Here, it was true, there were great delays and many impediments in getting titles; but in the States a cash system was adopted, the land being sold at \$1.25 an acre. If the American, or cash system, were adopted in this country, it would, of course, relieve the purchaser of much trouble and expense; and he had been urged to adopt it by several gentlemen well acquainted with the subject of land management. He did not do so, however, because he knew many of our best settlers who were originally laborers, who would not have been able to pay cash for their land, but who had taken up lots, paid for them by instalments, and in time became proprietors. He did not think it fair to exclude that class of peasants from the chance of obtaining lands by degrees. He had brought down the cash price to seventy cents per acre. A man who would be able to pay for his land, felt himself independent, and it was of primary advantage to him to pay for it at once, when he gained 30 cents per acre for doing so. The cost price of lands in Canada, was 55 cents per acre less than in the United States, and even those sold on credit were 25 cents less. He did not claim for himself the credit of the free grant system, it was initiated by a former Government in the County of Grey, and he merely took it up and carried it out, with, what he believed, some improvements. The great thing was to pierce the forests of the country by opening up roads, and then establishing settlements. What would be the effect of sending a hundred or a thousand people far back in the woods, say for a hundred miles, through an impenetrable forest, without roads? Did any one suppose that their report of such a settlement would be favourable to Canada? We should take care not to make people believe that they were to be dealt with in this way, in coming to settle in our Province. He had not been able to procure so much money as he could desire, for the purpose, but he had, with what he could get from the Finance Minister, who held the purse strings very tight, created and produced a number of roads, and just as the

roads went on, settlements were located. The system had been adopted of laying out the land ready for settlement in blocks. He was no advocate, however, for distinct townships for Scotch, Dutch, or Irish settlers; the life's blood of the country should be allowed to commingle, and in that way we might hope to give our country a national character of its own. But the Germans generally emigrated in large numbers who liked to keep together, and he felt that if he could not get them to settle here in small families or singly, it was better to allow them to come in numbers. When in the Board of Agriculture, he had received many applications from noblemen, and gentlemen in England, asking whether tracts could be purchased in which small colonies might be established, but he was obliged to inform the applicants, that the regulations of the Crown Land Department did not admit of this. In the course of last summer, the laying out of many of the works had been completed, and desiring to make known abroad what had been done, a map, intended for emigrants, showing the different lots, and affording other information, was subsequently published. It was important to all emigrants that they should know exactly what they had to expect in coming to this country. In February last, a trustworthy person, a Prussian gentleman, an engineer well acquainted with this country, had been sent to Germany, to shew on what terms lands could be had here. What else could the Government than first ascertain the state of the lands, and then send persons to Europe to communicate that information to intending settlers? They had not only sent to Germany, but to England, Ireland, Scotland, and Norway, and just as fast as the lands were laid out, these agents would be made aware of the fact. A regard for truth, in relation to Canada, was what the Government desired should be observed towards emigrants, for the responsibility of inducing a man to leave the land of his forefathers, to cross what his Hon. friend (Col. Prince) called a murderous sea, and throw himself on a foreign shore, was no light one. With regard to free grants, no greater mistake could be made, than to have a system, by which it would appear Canada thought so little of her public lands, that she was giving them away to any host of invaders who chose to come to the country. Such a system would only have the effect of making persons rush here from foreign countries, seize upon the best lands, and sell them at a profit as soon as possible. Even as it is it required the strong arm of the Department to keep speculators from acquiring large lots. On many of the roads one-third of the lands remain to be taken up, and be [Mr. Vankoughnet] had heard of worthless persons going on the free grants, and abandoning them after trying in vain to sell their lots. In numberless instances on parties applying to the Department for land he had pointed out the free grants, but they refused to take them, preferring to be purchasers of other lots. There was not one free grant made for

twenty lots that were sold. The man who had the money preferred to pay for his land, fearing that his posterity might not be so safe from disturbance if he took it for nothing. He desired to encourage free grants to pierce the forests by means of roads, but he was not prepared to throw open the country to any host of marauders that might come here. With respect to Upper Canada proper there was not at present such a large area remaining for settlement as many supposed. It was in the Ottawa district that there was a vast field for settlement. Nearly all that he had said applied equally to Lower Canada, and he knew of none who shewed more interest in the question of colonization than the inhabitants of this section of the Province. The fact was that in Lower Canada they could not survey lands fast enough for settlement, and the native population was pushing back into the woods and preparing them for an influx of emigrants. Even as far back as, and beyond Lake St. John, the settlements were being rapidly taken up, and the surveyor was almost immediately followed by the settler. In Upper Canada, also, the farmer's sons were pushing back the settlements and taking up farms in remote districts.

Hon. Mr. SEYMOUR thought the chief evil, with respect to public lands, was the expense of management, which was enormous. Last year the expenditure absorbed all the gross receipts, and some portion of the revenue derived from timber. There was surely something wrong in a system which continued unremunerative so long. He referred to the success of the Canada Company, which had increased its capital six fold, paid taxes, &c., and attributed this to economy in the management. In one year that Company had sold as much land as the Government, and it employed only four clerks. Its correspondence was also enormous, and yet purchasers were able to get their titles without delay which was more than could be said by those who bought from the Crown. No doubt much of the evil he had noticed was owing to the frequent change of the person holding the office of Commissioner, and neglect of revising the whole system. As to free grants, he did not think the system had been successful. In Addington, only 117 souls had been added to the population within the past year. He thought it would be better to sell the lands at moderate prices, and advertise properly the locality where they were situated. He entertained great doubts as to the propriety of the clause in the Bill allowing a revival of old claims.

Hon. Mr. VANKOUGHNET.—With respect to the expense of the management of the Crown Lands Department, and the comparison that had been made by the hon. gentleman (Hon. Mr. Seymour,) between it and the Canada Company, said the latter was free from costs of surveys, which were very great. The expense incurred in surveys of Crown Lands was annual and recurring; he had often suggested that it should be reduced, and the average price was now brought down to about six cents an acre.

In Upper Canada many of the surveys had been made, as in the United States, and with like results. In some cases a line had never been run, and there was now a re-survey going on of a Township, in rear of Kingston what had been surveyed thirty years ago, but the line of which survey nobody knew. Nothing was of more importance than that surveys should be accurate, for no subject was more fruitful in litigation, or more profitable to the lawyers, as he knew from experience, than that of boundary lines. The best qualified surveyors were employed by this Department, they were required to have a knowledge of both Botany and Geology, and were obliged to report after having made their surveys, what lands were best suited for settlement, and to give an accurate description of them. A new field-book had been recently brought into use by the surveyors, which he considered would be of great service. He admitted the expenses of the Department was large, and he himself was surprised on first going there to find he had fifty clerks to manage, but he would invite the Hon. gentleman to come and look at those clerks at work, and they would see whether one of them could be dispensed with. Some idea might be formed of the business transacted, when he stated that between 18 and 20,000 letters were received last year. The Staff, eager as it was, was kept fully employed, not a little of their time being taken up in disposing of disputes between rival purchasers, and getting rid of squatters. It had been said that our government was harsher than that of the United States, in dealing with the squatters, but he denied this. The Canada Company did not recognise squatters any more than the Government, nor did it listen to any such disputes as those which men frequently brought into the Crown Lands Office. Every Surveyor employed by the Department, was ordered to report the name of the party in possession of the land, when first surveyed, and it was offered to men for sale. But when the lots were once thrown into the market, the squatter was of course removed. The squatter system must be put an end to; it alone cause a great amount of work in the Department, the contest between the Government and individuals grasping at the public lands. Honorable gentlemen had, he admitted, a right to complain of the expenditure of the Crown Land Department, but the fault was not so much that of our Commissioner as of the system.

Hon. Mr. MOORE believed the Hon. Commissioner was pursuing the right course to reduce the expenses of his Department. He bore testimony to the good effects of the free grant system in opening up roads in Lower Canada. The Government land policy had arrested the emigration which was flowing to the United States. He conceived our first duty was to our own country, and that we should do everything to assist the youth of Canada in taking up farms in the back settlements. They were

much better adapted for opening up the country than emigrants from Europe.

Hon. Col. PRINCE liked the Bill now before the House on account of its simplicity; it relieved those who had disputes to settle from many difficulties which they hitherto found. The country was fortunate in having so able a lawyer as the process and proceeding adopted in this Bill showed the Hon. Commissioner was, at the head of the Crown Lands Department. He paid a compliment to the management of the Department, and said that while formerly he was obliged to tell them in Upper Canada they should put over the door of the Crown Lands Office the words of Dante "All hope abandon ye who enter here," he was now glad to see that for two sessions past we had got through more business in half an hour than we could in half a week formerly. (Hear, hear.) He alluded to several claims he had to bring before the Commissioner, for parties whose ancestors had been granted lands for preserving the integrity of the British Empire in 1812, and concluded by saying, when the Bill was in Committee he would make some further remarks on the clause providing for the settlement of similar claims.

Hon. Mr. CRAWFORD expressed a hope that the Hon. mover of the Bill would not press it into Committee to-day, as he thought the present Crown Land system needed to be more thoroughly investigated, and that it required important modifications. In his opinion the agents in the country were not needed, and might be dispensed with.

Hon. Mr. BOULTON knew there was a great expense attending the management of land, for he had had a good deal of expense with both public and private lands. He was also aware that great abuses had existed in the Department, and he had been under the necessity of complaining to the other House when he was a member of it, of the conduct of a Commissioner. He knew too, that in those times, the money of the Department and of the Receiver General's, had actually been bound to private individuals, but great reform had already been achieved. With his Hon. friend who had preceded him, he thought it was extremely desirable to get rid of the agents in the country. He was glad the subject had been so fully discussed, because none of greater importance could be brought before Parliament.

Hon. Mr. DEBLAQUIERE was pleased that one of his Hon. friends had asked a postponement of the debate, which could not be advantageous if continued. The Commissioner had a right to expect that the means should be given him of working out the reform he contemplated. He knew something of the Department, and that it needed great changes, but he was glad to see that the Commissioner proposed thoroughly to cleanse the Augean Stable. Some days since he had stated, it was to be hoped a Branch of that Department would be fixed in Toronto, and it was not without grounds that

such a hope was entertained, for such great difficulties had existed in the past in doing business with it, that it was thought that the removal of the Seat of Government would add to them. He had known cases of persons, who after they had fulfilled all their engagements, had had to come down to Quebec at much expense to get their patents. That evil, however, was now removed, but if persons needed to come to the metropolis, the facility of communication was so much greater than formerly, that he readily accepted the explanation the Commissioner had made some days ago, in respect of a branch in Toronto as satisfactory. And with respect to the duty he had assumed, by the bill of deciding personally with all subjects without referring them to the Executive, he regarded it as an absolute necessity, in order to the despatch of business.

Hon. Mr. ALEXANDER said the House was much indebted to the Hon. Commissioner, for the lucid manner in which he had expounded the principles of his bill, and he highly approved of his efforts to improve the Administration of the Department. He did not, however, exactly coincide with him in his views of emigration for all needed laborers. The great difficulty in the way of our farmers, was the price of labour, for they were obliged to pay as much as \$10 or \$12 a month in summer.

Hon. Mr. VANKOUGHNET—Why the price of labor was greater there than in England.

Hon. Mr. ALEXANDER—Well, he thought it was the duty of the Government to encourage a policy which would induce the creation of manufactures. Then as to creating a homogeneous population, he doubted whether it could be done. He represented among others two Townships cheerfully peopled by Germans, who would always seek to congregate together, and he challenged any Hon. member to name two other Townships in Canada more thriving.

Hon. Mr. MOORE—Yes, and in the United States.

Hon. Mr. CRAWFORD moved for a postponement of the debate.

Hon. Mr. VANKOUGHNET wished the bill were allowed to go into Committee *pro forma*, after which the debate would likely be even more free and full than it had been. His Hon. friend (Seymour) had spoken of opening the door to old Militia claims, but his Hon. friend from Essex (Prince) thought it was not opened wide enough. In the Act of 1853 all military claims were cut off, and he did not wish to revive such as had never been presented. He had endeavoured to confine the bill to claims that had once been made, and he felt that where it was no fault of the parties that they had not been admitted, and where sufficient evidence had been given, it would be harsh to cut them off. Such parties should not be punished for the negligence of the Department, so he proposed that when the claims were complete previous to the law of 1853, they should be adjudicated upon. Then, as to another clause, giving power to the Commissioner to collect Crown Lands

rents, which he understood had excited the fear that he intended to levy for these debts. Well there were persons in Ottawa who owed for rent, and under the present system he would have to take out a suit and spend more money in recovering the sums than they were worth; so he proposed that such rents should be collected as ordinary rents were. He would now say he intended, if possible, to get rid of the agents, and he would do so in the organized Counties, but of the new roads an agent could not be done without. His present plan was to sell lands by auction twice a year, in the settled parts of the country, where emigration could not be directed, and in this way he expected to wipe out the lands in those parts, and close the business. Why should the Department keep, for instance, 20 lots in the County of York? Was it not better to sell them and get rid of the agents?

Hon. Mr. CRAWFORD would be willing to go into Committee, only he feared the debates would not be reported, and it was very important they should be.

The motion was then put and carried, and the House went into Committee, passed the first clause, reported progress, and asked leave to sit on Monday next.—Carried.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Friday, March 9, 1860.

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

THE IMPERIAL GUARANTEED LOAN.

The Honorable the FINANCE MINISTER said:—Mr. Speaker: In conformity with the notice I gave on a previous occasion, I now propose to introduce a bill relating to the Sinking Fund for the Imperial Guaranteed Loan; and I avail myself of the present occasion to inform the House of the steps taken by Government during the recess in regard to the important subject of the consolidation of the Public Debt, and in connection with it of the steps to be taken in regard to the sinking fund for the Imperial Guaranteed Loan. It will be within the recollection of this House that a bill was passed in the year 1858, for the purpose of providing for the consolidation of the Public Debt. That bill contained provisions which put difficulties in the way of satisfactorily carrying out the policy which the House wished to sanction; but last Session the House passed a bill so amending that Act, as to provide for the consolidation of the Public Debt, and the issuing of stock or bonds bearing not more than five per cent., and redeemable in not less than twenty years. The object the Legislature had in passing that bill is within the knowledge of every member of this House. It was considered desirable to adopt some system which would establish a lower rate of interest than 6 per cent., on the Public Debt, and also to provide for the redemption of that portion which was payable in Canada, and to make pro-

vision also for the Municipal Loan Fund Debt. Parliament then sanctioned steps being taken for the redemption of those bonds, and for placing the whole Public Debt of the Province on one general footing, not exceeding five per cent, and redeemable in not less than twenty years. One of the principal objects had in view by Parliament in adopting that measure was to avoid the difficulties and inconveniences which arose in consequence of different portions of the Debt of the Province maturing at different periods, and consequently bearing different values in the English Market, and also to prevent the country being called upon during an unfavorable state of the Money Market for the payment of a large proportion of its Public Debt; upwards of seven millions, sterling, of which consisted of sterling bonds payable at different dates in England. At the maturity of those bonds the Province would have been called upon to make payment of large sums of money. Parliament considered it desirable that steps should be taken to endeavor to consolidate that debt, and through the operation of a very moderate Sinking Fund gradually to relieve the country from the burden it has now to carry. The steps the Government have taken in carrying out the wishes of the Legislature it now becomes my duty to explain to this House. As it is not my intention this evening to ask the House to vote or pledge itself one way or the other, there will be ample time hereafter for discussion on the steps the Government have taken. Those steps we desire to put frankly and fully before the country and before the House. It will be within the memory of the House that at the time when that Bill passed, advice was received from Europe of the breaking out of the Italian War, and at a period of such depression it was neither possible nor desirable to attempt negotiations on the part of this country. Consequently the Bill passed last Session remained without any action being taken by the Government for a considerable period. It was my duty as Minister of Finance of this country to keep myself advised as to the course of public matters in England, and ascertain from time to time what the prospects were of the Province being able to enter upon any financial operations of magnitude. It was not my opinion that, while the War was going on, any practical good could result from entering upon any negotiations in reference to the disposal of the debt, and that until peace was restored in Europe, our Act must remain in abeyance, and that although it was possible for the Government from time to time to prevent the further issuing of debentures at six per cent, still the general operation necessarily had to be postponed. The letter I had the honor of writing on the 3rd of October last to the financial agents of the Province, stated generally the desire of the Government, in view of the probability of a more favorable state of the Money Market arriving, to avoid the necessity of putting on the market any further amount of the six per cent bonds, inasmuch as an additional amount

of those bonds would increase the difficulty of accomplishing what the Government ultimately desired. In that letter of the 3rd Oct., it will be observed that I refer to a letter of the 5th Aug., and another of the 29th. The reason I did not send them down to be printed with the other, was because I did not regard them as of sufficient importance, but I have them with me and will read them to the House. Here is the letter from the Financial Agents of the 5th of August :—

Sir,—“We have the honor to acknowledge the receipt of your letters of the 14th and 16th July, and observe with much satisfaction that our proceedings, both as regards the negotiation of £350,000 Provincial Bonds, and the investment in the Loan for India of the portion of the Sinking Fund of the Guaranteed Loan for Canada, which it has decided should be there employed, have met with your approbation.

“We are also happy to remark that except, in special cases, it is not the policy of the Government, nor is there any present necessity to authorise any further issues of Provincial or Municipal Bonds, or to increase the debt of the Province. Whilst we recognise the wisdom of the withdrawal of the latter either by purchase or exchange and the legitimate use of Provincial credit in availing of the present favorable circumstances for making timely provision for the success of this operation:

“The price of the Provincial Bonds is now high, and we believe that we conform to your wishes in making only such moderate sales of Bonds as may be required for investment without pressing on the market; but the demand is very limited, and we agree with you, that it is wise to defer for a time, any attempt to negotiate a large sale.”

On the 3rd Oct., I had the honor to address the financial agents of the Province, mentioning the wish of the Government that no further issue of the six per cent. Bonds should be made. On the 24th Oct., I again wrote, and stated what I supposed would be the probable requirements of the Province; which I said would be £400,000 or £500,000 for the buildings at Ottawa, and to cover a portion of the Seigniorial Tenure. I stated that I was indisposed to issue any more six per cent. securities, and wished to be informed as to the best means of giving the new stock a good position on the Stock Exchange. I believed the success of the operation would depend on the extent to which our financial agents themselves were disposed to assist in making the loan. My reason for making this enquiry was that I anticipated considerably greater difficulty in properly placing our new 5 per cent bonds than would have been experienced in a simple sale of 6 per cent. Bonds—and I mentioned my wish to Mr. Baring, that the financial agents should shew their confidence in the operation by agreeing to take £500,000, sterling, of the proposed 5 per cent. stock. I did not receive an official reply until I had arrived in England, where I received the letter of 1st December. But I will now read an extract to the House from a private letter to me dated 4th November

last, and which sufficiently evinced the opinion of the agents and of Mr. Baring.

"The important question now is that contained in your letter of the 24th of October, whether the time would be opportune for such an operation as would pay off the Government balances, and provide funds to meet the claims on the Government for the Seigniorial payment, the change of the Government site, and the conversion of the Municipal Loan Fund Bonds by an issue of 5 per cent. Bonds and Stocks, and whether our firms would be disposed to purchase £500,000 of such Bonds. Mr. Glyn and myself have talked the matter over with our partners, and without knowing the course of events which, just now, no one can predict with any certainty, we agree in considering the moment favorable for the trial. Of course it may happen that your voyage here may prove fruitless, but certainly nothing can be attempted without your presence, for success would of course much depend upon the terms and conditions of the issue, and we all agree that the prospect of five per cent. Bonds or Stock is sufficiently favourable to justify us in urging upon you the policy of an early visit to this country."

The receipt of this letter confirmed the opinion I had held that the prospects were favorable for dealing with our public debt. It became my duty to submit the matter to Council and report upon it. My report will be found in the papers laid before the House. In that report I stated, what I believed to be the probable wants of the country, and that it was not desirable that we should continue the issue of the six per cent. bonds, and I recommended that the power given last year to the Governor General, to fix the rate of interest should be exercised in fixing the bonds at five per cent. I also wished to be put in official communication with the agents in London, and the Government thereupon directed me to proceed to England on that business. At the same time it was my duty to submit a memorandum on the subject of the sinking fund; and the letters will show that the Lords of the Treasury had expressed their opinion that the larger part of the existing sinking fund, amounting to £600,000 sterling, should not be invested in securities bearing a higher rate of interest than 3 per cent. British annuities, but should be held for the first payments that would fall due upon the Imperial loan; but as that did not appear desirable, I therefore requested to be authorized to bring the subject again under the notice of the Lords of the Treasury, and to endeavour to carry on the views of the Government in regard to the matter. I may state that I have always considered there was an intimate connection between the redeeming of the sinking fund, and the means taken for the consolidation of the public debt. It will be within the memory of the House that the Imperial loan was made the first charge upon the revenue of the country, that provision was formerly £60,000 sterling a year of sinking fund,

in addition to £60,000 interest which we had to pay upon the loan. By the arrangement made last year the amount of the sinking fund was reduced to £30,000, but £90,000 sterling still remained the first charge upon the revenue of the country. Now, it appeared to me that if any arrangement could be made by which the money in the sinking fund could be invested at a higher rate than that of 4 per cent, and the Fund at once made up to £1,500,000, a direct profit would thereby accrue to the country, and immediate relief be afforded to our Revenue in regard to the greater part of the large present payments of £90,000 per annum upon the loan. It will now be my duty to state what steps were taken by the Government, and what relief will be derived from these negotiations. It was necessary to make arrangements for raising a large sum of money for the purpose of making up present fund of £800,000 to the whole Debt of a million and a half. Consequently it was necessary to raise £700,000. As we had to raise that sum, and also to raise a large sum for the redemption of the feudal tenure and other requirements of the Province, it became evident a very large amount would have to be placed upon the market of six per cents, if that mode of raising money was adopted. And that if this opportunity of issuing the proposed 5 per cent stock were missed, it might be very long before any subsequent opportunity would occur. The papers laid before the House will show the correspondence on the matter of the Imperial Sinking Fund, and though much of the correspondence is of little value, I thought it advisable to bring it all down to give a clear idea of the whole transaction in connection with the investment of the first sum of £174,500, and of the view taken by the Lords of the Treasury in regard to the sum of £600,000. Before stating what steps were taken in this matter, I will explain that the operation proposed, appeared to me to be three-fold. The first was regarding the Sinking Fund. The second was the raising the new amount of capital required to carry out the views of the Government in regard to the Sinking Fund, and for the other wants of the Public service, and the last operation was the conversion of the existing public debt and the arrangement of the terms upon which it should take place. I will now proceed to state to the House that which has been effected in regard to the Sinking Fund, and in referring to the printed documents, it will be observed that in order to keep the correspondence in its natural sequence in regard to its objects, I have not strictly followed the chronological sequence. On my arrival in London, I had the honor to wait on Mr. Gladstone, who put me in communication with the Lords of the Treasury, who had previously advised that the Sinking Fund should be retained in the three per cent. annuities. Their Lordships, in reply, informed me of their readiness to invest that money in the mode desired by Canada—and at the same time I received information that I was at liberty

to make such arrangements as might appear desirable to make up the £1,500,000, and invest the whole sum in the same securities. After the success of the appeal to the public for the loan was beyond doubt and large sums of money had been paid upon it, I immediately put myself in communication with Sir Charles Wood, Secretary of State for India, to know if securities of the Government of India could be obtained without my going to the Stock Exchange myself. My reasons will be obvious. The loan for India—part of which I was desirous of purchasing—was for only five millions; and to have purchased thirteen hundred thousand pounds (£1,300,000) Sterling, on the Stock Exchange, for the Canadian Sinking Fund, would have certainly raised the price of the India Stock, and thereby have cost this Province a very considerable sum, without any reasonable hope of its return on a re-sale of the India Stock. I therefore put myself in communication with the Secretary for India on the subject, and the result of the negotiations is contained in these papers. I proposed to transfer to the Indian Government the amount held in three per cents at the price of 95, which was nearly one-half below the market quotation of that day, and I agreed to purchase one million of pounds Sterling of the India Stock at the price of 102½, which was about two per cent. below the market price of that Stock, the quotation being about 104½. As we required £326,000 more, I made arrangements with Sir Charles Wood, that the sum of £326,000 should be sold to the Province of Canada, at the price of 102½, deliverable on the 2nd April next. These, then, are the arrangements I made for the investment of the whole Sinking Fund, and which, I trust, will be satisfactory to the House. (Hear.) Having made that arrangement with the Indian Government, it was my duty to obtain the assent of the Lords of the Treasury. That was at once and promptly given, as well as consent to my request, that the interest accruing on the India Bonds and Stock should be applied, first, in payment of the £60,000 of interest on the Imperial Guaranteed Loan Fund, and the remainder to be handed over to the Financial Agents of the Province. The result of the operation, as regards the Sinking Fund, I will take this opportunity of stating to the House. The House will remember that the interest on the Imperial Loan is 4 per cent. on £1,500,000, or £60,000 a year. The interest on the India Stock and Bonds is £73,255. We have to pay, therefore, £60,000 while we receive £73,255, making a yearly gain of £13,255. So we gain nearly $\frac{7}{8}$ per cent. per annum, until the amount has to be applied in payment of the Imperial loan. As these payments are made, the annual gain will, of course, diminish. The final result is that a gain of interest will be made during the whole period, of £53,273 2s 6d stg., and there will be a further gain on the principal, of £8725; that being the discount at which we obtained the India bonds. These we took at 95, and they were payable in 5 years

at buyers' option, or in 7 years without option—the Government will, of course, avail itself of the option, as the funds will be required at the end of the shorter period. The sum of these two amounts is £62,098, stg., or \$302,210, which is therefore the absolute gain the Province will make. It is, however, distributed over about 6 years, consequently, the real amount is equivalent to about £10,000, stg., a-year, absolute gain—we receive a clear \$50,000 a-year more than we have to pay. (Hear.) The relief our revenue obtains is, however, not to be measured by the amount we thus received as profits on our new investment. We had formerly to pay as interest, and in contributions to the Sinking Fund to the Imperial Loan, £90,000, stg., a-year. Against that we have to pay 5 per cent. interest on £707,000, or £35,233 7s. 6d., making a reduction of the annual charge in connection with the Imperial Loan of no less than £54,767, stg., which, added to the average profit on the new investment of £10,000, stg., shews £64,767, or \$315,200, as the amount of relief we obtain from these arrangements. (Hear, hear.) Besides this, there is the £30,000 stg., made last year by the alteration then made in the Sinking Fund, which, however, Honorable gentlemen may think ought not to be alluded to in this connection. (Hear.) I now proceed, Sir, to refer to the arrangements with which I was charged with regard to the negotiation of the new loan of £2,800,000, first requesting the attention of the House to the views I held as stated in the correspondence as to the necessity of assuring myself against any possible danger to the Province from a failure therein. My duty as Finance Minister made it incumbent upon me to protect the Province from risk. I felt that if, through mismanagement on my part, or a change in the state of the Money Market, the issue of the five per cent. stock should be a failure, it would be useless to attempt to dispose of any six per cent. bonds until sufficient time had elapsed to wipe out from the Public mind the recollection of that failure. I was sanguine myself, but it would have been wrong not to take precautions. [Hear.] I therefore resolved that I would not introduce the new stock to the Market, unless our Financial Agents would consent to take £500,000 of it between them—£250,000 each—on the same terms as it should be issued to the public, so that under any possible circumstances of failure in the attempt to place the new 5 per cent. stock, the finances of the Province should not be exposed to embarrassments. Then, Sir, I had to consider the amount which would be required, and, in regard to that, it was clear to me that the issue of a large amount of the new description of stock was required, especially as the plan for issuing it was to combine among its other details the redemption of our liabilities, comprising the currency and Municipal debts which did not command so high a price as the 6 per cent. Stg. debt; the ordinary wants of the Province had also to be provided for, and a large sum, £700,000, was wanted for

the Sinking Fund. The amount the Province might have been satisfied to obtain was limited to its absolute liabilities, viz. : the sums due to its London Agents and those which might be required for carrying out the Legislation of last year, on the subject of the Feudal Tenure and the Buildings at Ottawa. I thought, however, that £1,200,000 of the new stock—£500,000 for actual wants, and £700,000 to pay up the Imperial Sinking Fund—would not be sufficient to induce the public to come generally into it. That the ultimate conversion of the 6 per cent. Debt might not fail, it was necessary to convince the public that the 5 per cent. stock was a better mode of investment than our 6 per cent. Bonds. I mentioned last session that one element in the success of the new loan, would be its being negotiable at all times—that it could always be dealt in at some rate, on the Exchange—and it is clear that, unless the amount were considerable, this object could not be attained. And, again, in order that the reduction of the rate at which the Province should, in future, be able to borrow, (from 6 to 5 per cent.) should be arrived at—it was necessary that the 5 per cent. should become the favourite Canadian Stock in England. (Hear.) With regard to the mode in which loans are negotiated in England, the House will pardon me if I say a word. There are three methods in which they are obtained. One is by contract, when a Government contracts with any large house, such as Rothschilds, to furnish money at a certain specified rate—the contractors running all the risk, and making all the profit they can. Another is when tenders are invited from the Public generally, a statement being made that the Government, say of Russia, wants two millions of pounds, the lowest amount it will take is not specified, but the public apply at such rates as they please—and the Government is not bound to accept them. A third is when Government fixes the rate at which its securities ought to sell, and asks the people to take as much as they choose, up to the limit of its wants. The reason I adopted the last method is this : It was evident that so long as we had the services of our own agents, and were under engagements to pay them for their services, there could be no use in giving to Rothschilds, or any other House, the control of our loan on which they must necessarily expect a profit in addition. In regard to the second method, that of inviting tenders, the Financial Agents stated to me that there was no instance in which negotiations by tender had been successful, save that of the British Government themselves, whose credit was so good that they could adopt any course they liked. They said that even the East Indian Government, in spite of its connection with that of Great Britain, had not seen fit to adopt that mode. I therefore came to the conclusion that our interests would be best served by considering on what terms I could offer the stock to the market, and staking the success of the operation upon it. And a great reason for adopting this course was, that as it was proposed to take the 6 per

cent. currency bonds in partial payment of the loan, a price had to be fixed. Now, it would have been impossible to establish a rate at which the Government would convert the 6 per cent. sterling bonds, if the price of the 5s. had not been known, and we could not have stated what we would give for 6s. On the other hand, if we had stated what we would give for 6s., that would have been in effect to tell the public the price at which we held our 5s. (Hear.) Having thus made up my mind, after consulting with the Financial Agents, of whose advice I had the benefit throughout, the terms on which I could issue the Stock had to be fixed. This was, of course, in a great measure, to be regulated by the price of our sixes. That was, in December last, 116 to 117, including £3 interest, due in January 1st. The price, therefore, at which any limited amount of bonds of this Government could be sold at any day in the Stock Exchange, was 113 to 114. I had therefore to infer from this what the probable effect would be of issuing as large a sum as £2,800,000 stg., in 6 per cent Bonds ; and the extent to which such an issue would depreciate the price in the market. I had also to consider whether, if a new description of security were offered, the price could be made higher or lower than in the exact proportion to the value of the former 6 per cent Bonds. It was evident that to attempt to put in the market £2,800,000 of 6 per cent. would have been to depress immediately, to a great extent, the price of our securities, as the whole amount of such bonds in the English market is only £7,000,000. But the facts that the new stock had certain advantages which did not attach to the six per cent. bonds, that a Sinking Fund was created for its redemption, to which the Legislature was pledged, that the securities would be negotiable at all times, and available for some purposes for which the six per cent. were not ; these facts, I say, encouraged me to hope that the five per cent. stock would maintain a price very nearly equal to that of the six per cent bonds—better, even, when compared with the depressed price which the issue of a large amount of new six per cent. bonds would have caused. (Hear.) The India five per cent. stock had been issued at 97. I resolved to give only an allowance of 2½ per cent., and that on the interest which the bonds would carry. Let us say that a £100 bond at par would bear date from January 1st, and that the payments should be distributed over the whole year ; the person paying for them would receive £5 at the end, although he only lost £2 10s. on the use of his money. Thus our bonds were actually distributed at par, but the payments being extended over a year, an allowance was thus made to the purchaser of interest to the amount of £2 10s per cent. (Hear.) There is one point to which I would draw the attention of the House—no such discount was offered to the holders of currency or municipal bonds, although they are permitted to be received in payment of the loan. To the extent to which those bonds may be thus

bought in, there will be a saving of the discount allowed for payments in cash.

Hon. Mr. BROWN—How many have been so received?

Hon. Mr. GALT—We cannot tell—the time for receiving them not expiring until the 30th June. Now, sir, I ought to state to the House the comparative value of five per cents. at 97½ as compared with our sixes, which were worth 113 @ 114. The value of a five per cent. at 97½ is represented by that of a six per cent. at 111½. (\$111.32). In other words, if the loan had been negotiated in six per cents. at 111½, it would have produced precisely the same amount as in five per cents. at 97½. A five per cent. at par is equal to a six per cent at 114½ (\$114.94.) I felt, then, that 97½ was a fair rate, and one at which I thought it my duty to authorize the issue of the loan. (Hear.) On this point I will say that I considered it my duty to take such responsibility as might be necessary to carry out an operation of this kind. The responsibility must necessarily devolve almost wholly on the official of the Government, sent to England, for the purpose of carrying the negotiations out, who has not the advantage of appealing to his colleagues for advice, ascertaining what they think, and communicating with them in reference to the important details connected with it. An individual, whoever he may be, charged with negotiations of this kind, has to get the best advice he can, and act as he thinks most advisable, assuming the full responsibility of doing so. Of course the action he may take is subject to the approval or disapproval of the House—it is for the House to judge whether he has discharged his commission wisely or not. In my case I am desirous, before being judged, of stating the grounds on which I arrived at my conclusions. (Hear.) I have already said, sir, but perhaps I may be permitted to repeat it, that independently of the question of raising the money, it was desirable, in order to carry out the object of the conversions of the Public Debt, that the new stock and bonds should be the favorite Canadian Investment in England, so that there should be no indisposition on the part of the public to exchange for it their 6 per cent. for it was not my intention that any advantage should be given to the holders of the 6 per cent. to induce them to convert into fives, other than that arising from the greater desire of the public to hold the new stock. (Hear.) The new stock is also, under the Act of Parliament, irredeemable. That is to say, the Province cannot be called upon at any time to pay the principal. It is intended, however, to be redeemed by the operation of the Sinking Fund of ½ per cent. That Sinking Fund will pay up the whole debt in 48½ years. It must be observed, however, that the rate of interest the Province has undertaken to pay is 5 per cent. but it is only for 25 years. At the end of the 25 years, the Province has the option of paying off the debt on giving three months' notice; consequently, if the Credit of the Province should then be very much better, than even

now, and I hope it will be, it will be possible for the House to take steps to obtain a reduction in the rate of interest which is now paid. (Hear.) A large portion of our Sterling Debenture Debt matures in about 20 years, consequently the difference between the times when we could redeem that and our 5 per cent. is only some three or four years. I will now invite the attention of the House to the papers already laid before the House touching the loan, and which fully set forth the particulars of the Public Debt, and the mode in which it was proposed to deal with it. Now as to the manner in which this scheme was received in England. The time limited for receiving applications was from the 31st Dec. to the 10th of January—and during that period applied 20 millions sterling. No better proof could be cited of the favourable manner in which the scheme was received in England. It was, as before stated, part of the management with the finance agents of the Province, that they were to subscribe for £250,000 each in the stock, and as to the rest, they were to dispose of it as to them seemed best for the interest of the Province; having in view the distribution of it in the hands of permanent holders. With the arrangements of the Finance agents, I wish to state, I did not desire to take the responsibility of interfering, not having the necessary personal knowledge of the standing of applicants; I did not of course wish that the new stock should get into the hands of speculators, who might dispose of it to the manifest injury of the Province; at the same time I did not consider it my duty to interfere in the allotments in any way, leaving that to our agents, in whom we had full confidence and who were best able to judge. However, I may mention that before leaving England, I proposed to our agents that they should furnish me with copies of the applications made, and the allotments effected. But I was told that those matters were looked upon as confidential, and that therefore the desired information could not be given for communication to the public. The list was, however, submitted to and examined by me: I make these statements, because I thought that some Hon. gentlemen would wish for the information in question, and they will thus see that it is impossible for me to give it to them. However, lest any Hon. gentleman should perhaps think that there were some names in the list, which it would be thought desirable to conceal, the House will receive in reply to any question on the subject as frank and candid a statement as it is possible for me to make. With regard to the allotments, no better proof could be given, of the fact, that a good and judicious choice had been made than the result of those allotments. The entire number of allotments amounted to upwards of 3,000, which would give an average of £800 only to each share. One of the greatest objects sought for in the allotment of the loan was to have it taken up generally by the people of England. It was no object to have a few men take up the entire loan; but it was de-

sirable to get as large a number of the people of England as possible to subscribe for the loan, and by this means to get them to take an interest also in this Province and its affairs. And the accomplishment of this object was one of the best features of the loan. However, regarding the standing of those who had taken shares in the new loan, I may mention the one instance—that of the Rock Insurance Company, which took £40,000, in Stock, not in Bonds, and what was more, sent in a check the same day, for the amount. (Hear. hear.) There was another matter connected with this loan, which was also gratifying, namely, the manner in which the proposed scheme was spoken of by the city correspondents of the English journals. Those gentlemen had spoken of the scheme in a flattering manner—a fact, which although too much stress need not be laid upon it, yet it was gratifying at the time, as the favourable expression of public opinion on any matter of public importance, must ever be. This incident was all the more gratifying, continued the Hon. gentleman, as at first I had to encounter the effect of a bitterly hostile attack against Canada, from the leading organ of England (the *Times*) which caused me a great deal of anxiety as to the ultimate success of the scheme I had in view; the attack of this paper on the position of Canada, was most unfair and ungenerous, (hear, hear,) and instead of representing matters in a true and honest light, it misrepresented them entirely, (hear, hear) and it was most desirable to correct those mis-statements as soon as possible. (Hear, hear.) As to the conversion of the six per cent. bonds into the five per cent. loan, it was, as yet, impossible to speak definitely of the number of persons, who having stock under the present system, would bring it in and have it exchanged for the new stock. The following is a statement of the six per cent. sterling, debentures, and the present charge upon the Province in respect of them, as compared with this charge, if converted in the terms proposed. The dates given are those on which the debentures mature:

	Equivalent amt. of 5 p. c. stock.
Aug. 1874.....£500,000 stg.	£547,500
Sept. 1874..... 400,000 “	442,500
July 1877..... 200,000 “	222,000
Jan. 1878..... 342,500 “	381,031
Jan. 1879..... 2,044,000 “	2,281,615
Jan. 1880..... 577,700 “	647,024
July 1880..... 1,263,400 “	1,417,376
July 1881..... 350,000 “	394,036
Jan. 1882..... 196,000 “	220,990
July 1882..... 500,000 “	564,375
Jan. 1883..... 150,000 “	169,500
July 1883..... 250,000 “	282,968
Jan. 1884..... 350,000 “	396,812
July 1884..... 113,500 “	113,500

which gives a total of £7,223,600 sterling, with interest at the rate of six per cent per annum, amounting to £433,414; while the total of the equivalent amount of five per cent stock amounted to £8,081,230, with interest, amounting to £404,061. The interest on the latter

amount, £404,061, together with the amount of the Sinking Fund at a half per cent, £40,406 would altogether amount to £444,467, which shows an increased charge of £11,051 annually to the Province. But there was another advantage to be gained. If the additional sum which we shall pay annually under the proposed system had been invested as a Sinking Fund at five per cent, at the end of fifty years it would only have extinguished £2,313,239 of the debt, whereas our proposed payments extinguish the whole debt in the same period. The difference therefore, between the two systems is, that under the one the Province shall be totally free from all debt at the end of fifty years—and at the end of the same period, and with precisely the same expenditure, being in debt to the amount of £4,910,361. Or, in other words, the proposed sinking fund of a half per cent, would entirely free the Province from debt at the end of fifty years, while under the other system, we should at the same period be in debt over 4,000,000, while the expenditure was the same in both cases. A very important part of the proposed measure was that which made it impossible for this sinking fund to be applied to any but its legitimate purpose. In needy times, it might happen that some Finance Minister would be inclined to supply any deficiency that might occur in the revenue, from this source. But the measure was so framed that he could not do so. The sinking fund could only be applied to the redemption of the national debt. This arrangement was part of the compact which the Province entered into with those who had taken stock in the new fund. The payment of the half per cent. was to be guaranteed—and placed beyond all control or influence—which was a wise and considerate regulation, since it ensured the extinguishment of the debt at the expiration of the period named. I will now say a word in relation to the terms upon which these negotiations are carried out by the Financial Agents of the Province, although it is hardly necessary that I should do so, seeing that they are explicitly set forth in the letter which I addressed to them on the 20th of January, and published on page 36 in the printed papers sent down to the House. It is proper, however, that I should state in what respect they are better than the previously existing ones. Under the previous arrangement, they received one per cent. on the negotiation of a loan, and also one per cent. on the redemption of a loan. Consequently, it will be seen that, where a loan might become necessary for the purpose of redemption, the Agents would receive a commission on both operations; clearly this was a thing which it was desirable should be altered. True, no mischief that I am aware resulted from it, as our debt had not yet matured, but it might operate so as, on some future occasion, to make an undue charge on the public for the services performed. Therefore, Sir, I agreed that they should have the same commission on loans which they had been in the habit of charging, namely, one per cent.

I also agreed that on those portions of a loan which were allotted to Brokers on the Stock Exchange, a commission should be allowed of one quarter per cent; the usual commission given to Brokers, and which would have to be paid by our Agents to the Brokers. I thought, as I imagine the House will think, that it was only right they should be re-imbursed this sum. But where the allotment took place by direct application to the Agents and not through Brokers, I thought they were only entitled to the commission of one per cent. Then, in regard to the Sinking Fund, their Commission would be one per cent. For many years, however, the gross amount which they would receive would be exceedingly small, but by no possibility could they receive a larger sum than the one per cent on the whole amount, while under the old arrangement the one per cent might have been paid several times over.

Mr. MACDOUGALL—You have not yet stated what will be the cost of management.

Hon. Mr. GALT.—It will be only very trifling—merely the expense of clerk's labor.

Hon. Mr. BROWN.—Will you state how much of the \$2,800,000 has been taken up in Bonds and how much in Stock?

Hon. Mr. GALT.—I think the amount taken up in stock is about £300,000. But it was not a matter of consequence to the Province whether the amount were held by individuals in the shape of Bonds or Stock. The point to be gained by us was to make the debt assume an irredeemable shape. The result of the whole operation, then, may be thus briefly summed up:—The alteration in the investment of the Sinking Fund is £13,256, amounting in all to £62,098. The relief obtained by making up the Sinking Fund is shown thus:—

Now we pay	£60,000 Interest
	30,000 Sinking Fund
	<u>£90,000</u>
Interest on £707,000 at	
5 per cent.	35,233
	<u>£54,767</u>
Average profit on new	
Investment for 6 years	10,000
	<u>£64,767 Sterling.</u>
The profit in the Sinking	
Fund in the aggregate	
will be	£62,098
and the profit on conver-	
sion	34,413

Making altogether £96,511

The cost of the operation might be set down at £30,000 sterling—that is the amount paid to agents and commission, independent of the £450,000, which must have been raised for the reduction of the Seigniorial dues and for the Public Buildings at Ottawa. The final result is as follows:—

The whole debt will be—

New Loan £2,800,000 Sterling

Conversion of 6 per cent	8,081,230
Conversion of 5 per cent	279,325
Balance of present cur-	
rency and of Municipal	
Debt	<u>1,008,000</u>
Making a total of	£12,168,555
The annual charge on	
that being 5 per cent	
interest	£608,427
½ per cent Sinking F'd	<u>60,842</u>

The total charge connected with the debt in that shape being £669,269

The present interest amounts to £665,345

There is the certainty of having to pay interest at the rate of 6 per cent on the new capital of £450,000 27,000

And to the Sinking F'd on the Imperial Loan 30,000

Making the total present annual charge on the revenue £722,345

The reduced charge, consequently, would be for about eight years £53,076, including provision for the annual payment to the Sinking Fund £60,847. In 1869, under the former arrangement, the time when the Imperial Loan would have been paid off, the relief, as he had shown, would be £90,000. So that at the end of that time, there would be an increased charge of £36,924. The operation of the Sinking Fund would then, however, be felt—\$740,000 sterling would be paid off, and the annual saving, for nearly nine years, will have been \$53,076, or \$258,303 annually. (Hear, hear.) Further, at the end of forty years, the whole £12,000,000 of debt would be entirely wiped off, and for the increase, at the end of eight years, when it may be hoped the country will be well able to bear it, of \$179,696, there would be a saving of £632,345, or \$3,077,412 per annum at the end of forty years. Whereas, under the other plan, the whole of this debt will remain, with the annual charge of £632,545. Now, of course, in a plan of this kind, it was a matter of opinion as to the issue, whether it could be accomplished or not. There can be no certain guarantee of its success. The calculations of the view the public may take of the plan may, to a certain extent, prove erroneous, although every care and caution were exercised in their preparation. I can only say, however, that it is the opinion of leading gentlemen on the Stock Exchange, as well as of our own Financial Agents, that, so great is the favor with which the operation has been received by the public, that no difficulty will be experienced in carrying it out. The holders of six per cent bonds will, it is expected, readily come forward to have the bonds converted into five per cent stock. This is already shewn to be the favorite stock, the other 6 per cent debt maturing, as it does

at different periods, and, consequently, bearing a relative value at the time. They must be sold in proportion to the time they have to run, while the 5 p. c. will always bear an uniform value, and from the larger amount of one description of security in the market, will be more easily sold. Before proceeding to close my remarks on this matter, I desire to revert for a moment to the Municipal Loan Fund. It is within the knowledge of the House, that the Consolidated Revenue has never been charged with interest on them, but that under the Act and by the terms of the bonds the municipalities were specially charged with the payment of the interest. Under the last Act, however, Parliament has authorised the Government to redeem these bonds and the Government have, in accordance with the authority of Parliament, offered to take these bonds or exchange them into five per cent. stock; or, what was equivalent to it, take them at par. Accordingly, it will be the duty of the Government to ask from the House, authority to pay the interest on these bonds up to the 30th of June next. But after that date, if the holders do not avail themselves of the option for their conversion, the Government will not feel that responsibility any longer resting upon them. The responsibility will rest with this House. If it pleases to make further advances to this fund it will be at liberty to do so. The Government consider, however, that the House will have fully discharged all moral responsibility connected with this fund, by the offer to pay these bonds at par—and that it now rests with the holders of these bonds to decide whether they will prefer the acceptance of the terms offered by the Government, or look to the Municipal Fund alone for the payment of their interest and principal. The only points which I have not touched upon are contained in that part of the correspondence relating to the opening of a special account for the new stock, and the application of the probable large amount paid in to the Financial Agents. Of the propriety of both proceedings, I think the House will be satisfied. The House will agree with me that the items of this new scheme should not be mixed up in the ordinary accounts. As to the disposition of the money paid in advance, I thought it necessary to give the general instructions I have done for its disposal, as it would entail a great loss of time if the Financial Agents had to apply to the Government as to every investment. My impression is that the money should, if possible, be invested exclusively in Provincial securities. But there may be occasions when this could not be done, and to the Financial Agents should be left the discretion to act as they think best, for the interest of the Province, under the circumstances of each occasion. I have every confidence that they will exercise a sound discretion. I must now apologize to the House if I have drawn too much on its patience. But I have felt it my duty to give this lengthened explanation, and lengthened though it has been, I fear there are some points which I may not have been sufficiently explicit upon. If, how-

ever, any Hon. gentleman desires any further information, on any point, I shall be happy to afford it. The operation has been an intricate one, and it is not, perhaps, very easy for me to convey to the House the exact impressions which have been conveyed to my own mind. I have no doubt, however, the effect of debate will be to elicit some details which may have omitted. Some gentlemen may differ from me as to the anticipated result of the operation. After hearing their views, however, I nevertheless anticipate, I shall be able to convince them, that the action of the Government has been correct. The result, so far, has certainly been satisfactory to the Government. It is satisfactory that they have been enabled to raise a large sum of money at a time when the country was unusually depressed—when its credit might have been doubted. Whatever might be the opinion of the Hon. gentleman as to the policy of the Government it must nevertheless be a subject of congratulation to all, that the country has safely passed through an unprecedented severe and long continued depression, during which its energies have been put to the severest test, and that through all, its credit has been maintained in a Money Market like that of England, which was so sensitive in regard to everything connected with the public credit and the public faith. But, I think, the most important subject of all, is the success which has attended, and will, it is believed, continue to attend the operation in regard to the conversion of our debt, whereby, for the first time in this Province, a Sinking Fund has been provided which cannot be touched, and whereby the whole of our debt will be gradually extinguished. The period when this would occur, might certainly not be in the time of many who now heard him, but it was not far distant for a transaction of such magnitude, and of such great importance. I have known nothing which has excited more alarm in the public mind, than the fact that, instead of diminishing our debt, it has been going on steadily increasing. It had been felt that means should be taken, if possible, for reducing it. The effect of the plan of the Government would be, as he had stated, to reduce the charge during the first few years—during those years when the country will really require relief. After that, there would be an increased charge of £36,000 a-year. But when the House considered that the country will then, in all probability, be in a better position to bear it, and that it will lead to the entire extinction of the debt, the importance of the scheme will be seen. The Government have looked to the interests of the future, as well as to those of to-day. They have had in view the establishment of the Finances on a sound footing. They have desired to have provision made for ultimately freeing the people of the heavy load of annual taxation which they have had to bear. We are in the possession of immense public Works which are not, it is true, now profitable, but we shall be able to maintain them without a greater burden of taxation. If we shall not see the day, our children

will see it fully completed, when those magnificent works will be held by the Province free of debt; and when the year 1860 will be referred to as the time when a sound system of finance was established in this country. (The hon. gentleman resumed his seat amidst loud cheering.)

Mr. BROWN complimented the Finance Minister on the able and dexterous manner in which he had placed the statements of his financial operations before the House, but said he should take an early opportunity of showing that it was the most fallacious statement that had ever been submitted to any Legislature in the world.

The Bill was then read a first time.

OCEAN STEAMERS.

After the recess, the House went into Committee of the Whole on the Hon. Mr. Smith's resolutions on postal subsidies.

Mr. BROWN urged that the proper course to take was the appointment of a Special Committee to procure information as to the exact position of the Company, and whether Parliament would be warranted in granting so large a subsidy. If the subsidy were granted on the Postmaster's *ipse dixit*, and his hopes proved fallacious, the Government would come back to the House saying that the line must be sustained, and they would have the Grand Trunk affair over again.

Mr. LANGEVIN said that the Canadian Line did not receive one-eighth of what some other companies received in public assistance. He was glad to see that two new ships were to be built. With regard to these it had been suggested to him that they should be built in this country. On the whole, there should be more information given.

Hon. J. S. MACDONALD took the same view. Further information was necessary. When the House of Assembly gave aid to this undertaking, it became a part in the concern as it were. It should, therefore, look to the building of the Company's ships, and see that they were built in this country.

Mr. SIMPSON thought that the remarks of the Hon. member for Cornwall, were very little to the point. The Hon. member had not touched the question, whether it was worth while to vote £104,000 in return for the service which the Company, for that sum, was willing to perform. He thought it was.

Hon. Mr. CAYLEY said that to tell the contractors how they were to build their ships, and where they were to be built, would be an uncalled for meddling with the affairs of the Company; and its effect would be to free the contractors from all responsibility. These gentlemen had a large acquaintance with ship building and shipping, and with that acquaintance they came to the House, and offered for £104,000 to a certain work. He did not find fault with the observations of the Hon. member for Toronto, for it was perfectly right that the House should carefully inquire

and see if we could afford the increased subsidy of \$416,000, which the resolutions proposed to give the Company. We had statements before us of what we paid under the old contract, and of the amount of postage we accounted for to Great Britain; the former sum was \$200,000, and the latter \$155,000. By the new arrangement, the total charge to Canada, including transit through the States, was \$481,000, but the estimates of the Postmaster-General showed that we might anticipate a revenue which would abundantly justify us in incurring that cost. We had not yet full returns of the value of the mails brought out under the new system, but it was known that the Boston mail from Paris was alone worth \$300, that is for the single voyage, and the return mail would be at least equally valuable. This would give \$600 a week from Boston, and the Philadelphia mails were at least equally good, while those to and from New York would be worth those of both these cities. Thus from that city the weekly mails would amount to something like \$1,000. From these three cities the receipts from French mails towards the payment of the subsidy would exceed \$2,000. But to these sources were to be added the mails from the Hanseatic towns, which would probably equal all the French, and indeed the prospects opened so largely that one was almost startled at them. In his opinion, there was no room for doubt or hesitation in coming forward to make good the amount asked by the Company, and in spite of the disasters which had recently happened, he conceived we were bound to show that our faith or confidence in the line was in no way shaken. If we had no profit at all, and could only say we suffered no loss, he would not hesitate, nay, he would go further, and say he would be willing that Canada should submit even to a small loss to keep up an enterprise which promised to give us a large portion of the carrying trade of the Great West. He had no doubt of the reliability of the statements furnished, and if it were correct that the new contract was within the cost of the old, how could we hesitate? He was not prepared to say that the Company would do all they promised, but their prudence and business abilities were known, and he did not believe they would offer to do anything unless they felt competent to do so. There was enough before the House to show that the new contract would produce better results than the old, and he would therefore vote for the resolutions.

Col. PLAYFAIR—In this enterprise, he considered Canada had little to risk and much to gain. We had the shortest, the cheapest, and consequently the best route; therefore, we were likely to engross all the European mails. If we got the letters we would get the passengers, and their eyes would be opened to the facts of the case, when, of course, trade and freight would follow. The route was also the most comfortable, for the water was almost smooth to Belle-Isle, and he understood the ladies seldom left the table until they got there. When our steamer struck Quebec, that for New York would be

four hundred and seventy miles at sea, and by the time she was at New York our mail matter might be three hundred miles beyond Chicago, or nearly half way across the continent. It was not because our steamers were the fastest, for, on the contrary, they were hardly as fast as the Cunard boats; but because our route was the shortest and the easiest that we made the best time. He was willing to be thought a visionary, but he verily believed that before long, a person might leave the London Exchange and in eleven days be at the west side of the continent. The line would pay better and better every year; and if at present our railways, running alongside of our rivers and great lakes, answered so well, how would they not pay when they coursed the western country, where they would not have to compete with water carriage. By the means proposed, immense results, favorable to Canada, would be developed; and if we wanted the cities of Quebec and Montreal to become the Cincinnati and New Orleans of Canada. We should strive also to complete our canal communications by way of the Ottawa, and not let the trade pass by the port where it was sure to be tapped by the American railways. With great pleasure he would vote for the subsidy.

Mr. MCGEE thought the postal arrangements made with the United States operated entirely to the advantage of the Government, else the shrewd authorities at Washington would not have accepted our terms on twenty-four hours' notice. The Canadian Government was to carry the United States mails from Chicago to Portland free in winter, and in summer from Chicago to Rivière du Loup, for the trifling privilege of passing the Canadian mails, free a distance of about one hundred and thirty miles. This gratuitous service could hardly be balanced by the profits of the ocean service, and if it were the present high rates of sea service, were by no means reliable, and in the event of a diminution of these rates we must suffer actual loss. The applications of the Hon. Postmaster General for the United States mails were based on the high speed at which the mails were to be carried on the Canadian line. By inciting the masters of those vessels to make the highest possible speed, the Hon. Postmaster General had rendered himself to a great extent responsible for the late lamentable accidents.

Mr. A. P. MACDONNELL thought it very injudicious to refuse the subsidy of £100,000, to the Canadian line of steamers. The interest and the honour of the country demanded that the line should be continued. It was a part of the public works of Canada, and when private gentlemen had invested £700,000 in the line £100,000 seemed a small amount for the Government to grant them, especially since fourteen millions had been granted the Grand Trunk Railway.

Mr. ADAM WILSON had many objections to granting so large a subsidy for this purpose. He did not see that the benefit to the country would be proportionate to the amount granted. We could not compete to advantage with all the other lines, even with the present mail ar-

rangement, there was a loss of \$44,400 per annum. Now there are new vessels to be built and money was expected from the Government. He did not know that such an application of the public money was a legitimate exercise of the legislative power. He would like to be informed also by what authority, the dependent Province of Canada sent an ambassador to carry on negotiations with sovereign States: He believed the mail arrangements recently effected in Washington would prove chiefly advantageous to the United States. It was to be hoped the Hon. Postmaster General would not, by unprofitable speculations, defeat the money saving schemes of the Hon. Minister of Finance.

Hon. Mr. BROWN—Hear, hear.

Mr. McMICKEN said, that if the Opposition were pleased with the buffoonery they had heard that evening from the junior member for Montreal, he must think them something like children—pleased with a rattle, and tickled with a straw. (Laughter.) The Hon. member (Mr. McGee) had, after many offensive personalities, thought proper to charge the Hon. Post Master General with the responsibility for the loss of the *Hungarian*, showing by his correspondence with the Postmaster General at Washington, that his (Mr. Smith's) contract for carrying the mail was to depend upon the speed with which it was carried. But the letter from Washington from which the Honorable member (Mr. McGee) learned that the Honorable Postmaster General was to cause the vessels to run at such a dangerous speed, happened to be dated nine days after the *Hungarian* had left Liverpool. (Hear, hear.) He (Mr. McMicken) should vote for the subsidy, to sustain our noble line of steamers.

Mr. POPE could not see the philosophy of sinking a large sum of money annually for the good of the country; and believing the steamers to be of more value to other countries than to Canada, he should not vote for the subsidy. Why could they not run as the Glasgow line did? That line supported itself without any subsidy.

Hon. Mr. ROSE was glad to find the general feeling to be in favor of supporting the Canadian line of steamers at all hazards and at all expense. (Hear, hear.) He thought the only fear was that expressed by the Hon. member for Toronto, that sufficient enquiry had not been made as to whether the £100,000 named was really sufficient to sustain the line.

Mr. BROWN—Oh no!

Hon. Mr. FOLEY said the sum at which the contract was previously taken had proved insufficient; and what guarantee had they that this sum would not also fall below the demands?

Hon. Mr. ROSE—That was an experiment.

Hon. Mr. BROWN—So will this be.

Hon. Mr. ROSE was of opinion that the arrangements of the Postmaster General would be productive of even a larger revenue than he had himself anticipated. But as regarded the importance of the line to the interests of the country, he thought there could be no doubt. The

great reason why Canada could not command the trade of the Great West was because freight could not be sent as cheaply from the St. Lawrence to Liverpool as from Boston and New York. (Hear, hear.) For many years past the revenue from public works, and especially from Canals had been decreasing; and they must continue to decrease as long as goods could be shipped from Boston and New York on more favorable terms than from Canadian ports. It had been said this Canadian line was of no real benefit to Canada, but a few figures would be the test argument to the contrary and would show the saving it effected. To the farmer, the producer and the merchant this line effected a saving of more than £40,000 a year on the outward freights, and nearly £50,000 on the inward freight. (Hear, hear.) The rates established by the Cunard line were from £4 to £6 sterling, per ton to New York and Boston, averaging about £5 10s. by the time freight reached Canada. By the Canadian line the rates established were from £2 to £2 15 to Montreal. In Winter to Portland the charges were from £2 10s. to £3 per ton. A comparison between the rates of freight would show a difference in favor of Portland and Montreal of about £60,000 a year. It had been said the line should support itself as the Glasgow line did; but there was a great difference. The Canadian ships could not take their own time in waiting for freight or passengers, as the Glasgow line did, but carrying the mail were compelled to sail regularly and on certain days. But it was not only in reference to the saving of freight that this ought to be viewed—it ought to be looked at as involving the very existence of Canadian Commerce. We now had as good and regular communication with Europe, via Canadian routes, in winter as in summer. It was for the interest of the revenues of the Public Works, therefore, that the last link of this communication, as important a one as any of the rest, should not be cut away. (Hear.) Already, this year, since the opening of the Victoria Bridge, no less than 950 tons of grain, 1,100 of lard, 100 tons of pork, 30 tons of beef, and 50 tons of butter, had been exported from the Western States to Europe by our Steamers. This, he viewed as the commencement of an Export Trade which would ultimately be the most important on this Hemisphere. But, to its growth, the permanence of our Steam Line was necessary, and, at this particular juncture in its affairs, we ought not to hesitate. Why, it was said by some, should we not hold Wallace to his bargain, and compel him to run his line for £55,000 a year for three or four years? They must remember that the Company, under the contract, had the right to throw up their contract at six months' notice, and they must reflect on the position the Province would be in if the line were discontinued. Here we had been paying the United States for inland carriage on European mails, nearly £11,000 a year. We had been paying Great Britain, towards the Cunard subsidy, £19,000 a year as postage. Were we to go back to that state of things again?

Were we to risk the cessation of communication for several years, through the breaking down of our line? As to the expense of the trips, it was easy to see how great it was. Here were some items. Fifty tons of coal, a day, for 12 days, cost £1,200; insurance, 10 per cent. a year, 1,200; wages 600!—and not a large sum.

Mr. DUBORD—Five hundred more than covered wages.

Hon. Mr. ROSE—Provisions 600!; stores, oil and tallow, 400!; labour, lake and harbour dues, 500! Here were a number of items, nearly making up the 6,000! which each trip cost on an average. What more could a Committee find out if it sat every day for six months? Now, as to the chance of obtaining a subsidy from the British Government. If this line broke down, we could not go to Britain with a demand for a subsidy. (Hear.) But if it were maintained, then we had the possibility, the probability say, almost the certainty, that the English Government would do us justice. There was a strong feeling not only in Canada, but among the British people, that injustice was done to this colony in subsidizing a line to rival ports in a foreign country to the extent of £300,000, stg.

Major CAMPBELL.—If the British Government subsidized the line, would their subsidy be applied in reduction of ours?

Hon. Mr. ROSE.—If the Canadian Government could induce the British Government to assist in subsidizing the line, the assistance would, of course, diminish the liabilities of Canada towards the Contractors. (Hear, hear.)

Hon. Mr. FOLEY made a few remarks, urging the appointment of a Committee to investigate the subject.

The Committee soon after adopted the two resolutions, rose and reported them.

Hon. Mr. BROWN then said it was deplorable that no enquiry was allowed to be made. Here we were about to add \$400,000 a year to the burden of the country, on the mere *ipse dixit* of the Postmaster General that the finances could bear it; that the Government had looked into the public chest, and knew that it was all right. He would therefore move in amendment, that the said Resolutions be not now read a second time, but that they be referred to a Select Committee of nine Members to inquire and report forthwith as to the position and prospects of the said line of Steamships, and the anticipated advantage to be derived from increasing the subsidy now granted the said line. The said Committee to have power to send for persons, papers and records, and to report with all convenient speed.

Hon. Mr. GALT wondered at the loose statements of the Hon. Gentleman. He (Mr. Brown) had said, characteristically, that the burdens of the people were to be increased by \$400,000. Why, they were liable for \$220,000 of it already. The increase was only \$49,000 currency; a large portion of it would probably be made up by postages to be received.

Hon. Mr. BROWN explained that he had meant to say the burdens would be increased to \$400,000.

Hon. Mr. SICOTTE thought that the amendment of the Hon. member from Toronto, was one that ought not to obtain the sanction of the House. He thought the motion was so worded that it was out of order. He raised the point of order.

Hon. Mr. BROWN contended that it was in order. The point of order referring to the time of receiving the report, he could substantiate from many precedents.

Hon. J. S. MACDONALD thought the motion in order.

The SPEAKER ruled the motion out of order.

Hon. Mr. MACDONALD suggested, that to save time, the Report be received, when Mr. Brown could move his amendment to its adoption and make it a test question.

Hon. J. S. MACDONALD considered that it was important for the House in view of the late catastrophe, to declare its confidence in the line of steamers. He also condemned all delay upon the other ground, that it was the duty of the House to take such action as would secure to it a portion of the ocean subsidy from England. (Hear, hear.) He was sorry to differ from his Hon. friend (Mr. Brown); but at the same time, he would not be doing his duty if he did not vote against the amendment. (Hear, hear.)

Mr. McDUGALL thought the vote about to be given, no ordinary one; and condemned the Government for refusing the enquiry which a special committee would not have failed to bring out. It was an unfortunate thing that on the day when the Finance Minister had brought down his scheme to lighten the burthens of the people, this scheme should have been brought forward to add a very heavy burthen to the existing debt. What benefit would the proposed subsidy confer on Upper Canada? There were many members from Western Canada who did not see the necessity for this increased subsidy—notwithstanding that so much had been said about members being unanimous in determining to keep up the national steamboat line at any risk. He desired to see all the facts laid before a Special Committee. He would press upon the attention of the House that it was to keep up her national superiority that England subsidized. And he did not approve of Canada entering into competition with England.

Hon. Mr. LORANGER thought that immediate action should be taken. The line was a national one, and it should be maintained at the national expense. Delay would be most dangerous, just now especially, from the recent loss of two steamers of the line—and if the matter were referred to a Special Committee, it would look bad abroad—inasmuch as it would appear that we had not confidence in our own line. He would vote against all delay.

Hon. Mr. DORION could not concur in the statement made by the last speaker but one, to the effect that Upper Canada was not interested in the maintenance of the national line of steamers.

Such was not the case. (Hear, hear.) However, he did not agree in the necessity of giving this subsidy to the line. The statements made by the Hon. Commissioner of Public Works were not sufficient to warrant the outlay of the subsidy. And it was not proper to ask the House to bestow it on the mere *ipse dixit* of any Hon. gentleman. He had been told that so far from being losers, that the Company in question were doing a splendid business, and making money. At all events the subsidy ought not to be increased until the House knew what it was doing. Besides the subsidy to the line of steamers, there was also a provision for \$10,000 to a line of telegraph. The House knew nothing of this matter, and surely, if it granted it aid, it ought to have the privilege of making regulations for it. He would vote for the Committee of Enquiry.

Hon. Mr. SICOTTE thought that the last Speaker had not made out a case against the application of the subsidy. In England, where the principles of subsidies are generally disapproved of, as contrary to sound policy, they are kept, simply on grounds of absolute necessity. (Hear, hear.) It was a losing concern, as experience showed, for a private person to run such a line of steamers as the Canadian line. (Hear, hear.) If it were otherwise, there would be many candidates in the field. The proper view to take of the matter is that, being restricted as they are, the present Company could not be making money. It was not right to compare this line to the Glasgow line, or any other line—since those other lines could run when they liked, and lay up when they thought fit. Whereas this line had to start at stated periods, fair weather or foul, full or empty. He could not but think that the effect of the amendment was to prohibit the company from receiving any subsidy at all, and this, although Hon. gentlemen on the other side of the House had declared their intention to sustain the line at any risk. (Hear, hear.)

Hon. Mr. FOLEY could not allow the Hon. gentleman to impugn the intentions of Hon. gentlemen on his side of the House. The arguments of his Hon. friend were extremely illogical, and it was absurd to say that the particulars of the loss of the contractors should not be laid before the House. He thought that the enquiry ought to be granted, if for no other purpose, in order to see if any other company would be willing to take up the contract at the present price, supposing that the present company threw it up.

Hon. Atty. General MACDONALD, reminded the House that the leader of the Opposition (Mr. Brown) had declared in the House, some short time ago, that the present measure was a good one, and that he would support it. While the Hon. member from North Oxford had just declared that the measure could not benefit Upper Canada. These things were very inconsistent.

The House then divided on Hon. Mr. Brown's amendment. Yeas 33, Nays 70.

The main motion was then put and carried, when the bill in the resolution was introduced

and read a first time, and ordered to be read a second time on Tuesday.

The House then adjourned.

LEGISLATIVE COUNCIL.

Monday, 12th March, 1869.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

CONSOLIDATED STATUTES.

Hon. Mr. VANKOUGHNET presented a Return relative to the Distribution of the Consolidated Statutes.

BILLS INTRODUCED.

BILL to abolish the use of Grand Juries in Recorders' Courts, in Upper Canada.—Hon. Mr. Campbell.

BILL to amend the Act incorporating the International Bridge Company.—Hon. Mr. Christie.

BILL entitled an Act to repeal the Act incorporating the Toronto Mechanics Institute, and permitting it to be incorporated under the general Act for the incorporation of Mechanics' Institutes.—Hon. Mr. Allan.

BILL respecting the challenging of Jurors in certain cases.—Hon. Mr. Allan.

MANAGEMENT OF PUBLIC LANDS.

The House, on motion of Hon. Mr. VANKOUGHNET, went into Committee of the Whole, on the Public Lands Management Bill.—Hon. Mr. De Blaquière in the chair.

The first Eight Clauses of the Bill were adopted without amendment.

The Ninth Clause being read,

Hon. Mr. VANKOUGHNET proposed to amend it by giving the Governor in Council power to apply the provisions of the Act to the Jesuits Estates, Crown Domain and Seignior of Lauzon.

Amendment carried, and Clause as amended adopted.

The Tenth and Eleventh Clauses were adopted.

The Twelfth Clause, as to the determination of claims for land, was read.

Hon. Col. PRINCE complained that it was not so favorable to the rights of old soldiers as the clause on the same subject in the Bill introduced by the Hon. Mr. Sicotte, when Commissioner of Crown Lands. Under this Section "no claim for land arising from Militia, United Empire Loyalist, or Military rights, shall be entertained unless the same was actually located or admitted, or proof in support thereof sufficient in the opinion of the Commissioner of Crown Lands furnished before the passing, on the 14th June, 1853, of the Act 16 Vic. c. 159; and the land scrip or certificates entitling parties to purchase land issued prior to the passing of the said Act, shall be recognized and redeemed, provided that such scrip and certificates be presented and established in the Office of the Commissioner of Crown Lands,

"before the 1st January, 1862." He (Hon. Col. Prince) thought this clause would operate an injustice to many claimants, and instanced one case, that of the Rev. Mr. Dewar, whose father was killed in the war of 1812, and who had been unable to urge his rights on account of absence in Germany. This gentleman should not be precluded from presenting his claim; in fact all who could assert and prove their claims should, up to the latter period in the clause, 1st January, 1862, have the privilege of going before the Commissioner and having the same determined. He moved in amendment that the words of the clause which he had quoted be struck out, and that all claims of the nature referred to be recognized, if presented before 1862.

Hon. Mr. VANKOUGHNET said it was not in the interest of public morality or justice to open the door to claimants as wide as the Hon. gentleman (Hon. Col. Prince) wished. If there were no restriction as to these claims, fraud would be practiced in ten cases for every one in which an act of justice might be done. All the claims arose out of transactions forty years ago, and if the parties had not already had sufficient time to urge their pretensions, he would like to know what time they should get. The main object in making these grants in favor of officers and others who served in the war was, originally, to enable them to settle in the country, and assist in its colonization; but the majority of the cases still undetermined were those of persons who left Canada with their Regiments or families, and who did not come forward to assert their rights until their taking possession of the lands was of less consequence to the country and of more value to themselves or their descendants. He had come to the conclusion, after having deliberated upon the matter since last session, that, although in individual cases it might be a hardship, public policy required there should be some limit to the time within which these claims upon the charity of the Government, as they had become, could be preferred.

The amendment was not adopted.

The twelfth and thirteenth clause were adopted.

The fourteenth clause being read.

Hon. Mr. VANKOUGHNET said, that since the Bill was printed, he had thought the Governor in Council should have power, under this clause, to set apart Crown Lands, not only for the public purposes therein mentioned, but also for Model and Industrial Farms—the grants in such cases not to exceed one hundred acres. He proposed an amendment to this effect.

Hon. Mr. MOORE did not think that one hundred acres of wild lands could be made available for the purposes of a Model Farm.

Hon. Mr. CHRISTIE—Yes, if they could be sold, and the proceeds applied to the purchase of suitable lands.

Hon. Mr. VANKOUGHNET had read, with pleasure, a pamphlet on Agriculture, by the Hon. gentleman opposite (Hon. Mr. Moore) which contained many interesting suggestions, and ad-

vocated the establishment of model farms. He (Hon. Mr. Vankoughnet) thought it very desirable that those trained as masters in the Normal Schools should have some knowledge of agriculture, botany, &c., and to enable them to receive instructions of this kind, in a practical form, he was of opinion some land, to be used for the purposes of a model farm, should be attached to every School Section. If the Legislature could by such means, really encourage a taste for agricultural pursuits, make labor honorable, and give it importance in the eyes of the youth of the country, so many of them would not be found abandoning the occupation of their fathers, and filling the ranks of the professions. There were some young men now-a-days, he was sorry to say, who preferred being bar-keepers, rather than farmers, as their fathers were. With reference to the land to be granted, it did not necessarily follow that the 100 acres would be in a remote district; all that he proposed was, that Government should have power to set apart for the purpose of model farms, lots not exceeding 100 acres.

Hon. Mr. MOORE was gratified to see that the Government were so alive to the interests of agriculture, and that their attention had been directed to the subject of model farms.

Hon. Mr. ALLAN said there was a large class of vagrants in cities and towns, who might be usefully employed on such farms, and at the same time removed from bad and corrupting influences.

Hon. Mr. CAMPBELL suggested that the Clause should state that lands might be appropriated for the sites of Agricultural exhibition buildings, as well as other purposes mentioned.

This suggestion was acquiesced in, and the Fourteenth Clause was adopted as amended.

The other Clauses of the bill down to the Twenty First were adopted without debate, some verbal amendments having been made. When the Twenty First Clause was read,

Hon. Mr. McDONALD, while complimenting the Commissioner, upon the care shown in the preparation of the measure, moved an amendment to the 2nd sub-section (giving the Commissioner, or his agents, power to issue distress warrants, for rent of public lands in arrear,) to the effect that so long as the amount of interest on the purchase money is regularly discharged, no actual settler be required to pay his purchase money before 1864.

Hon. Mr. VANKOUGHNET explained that no other than the course proposed would do with the parties in arrears. The regulations issued from the Crown Lands Department had been severely commented on, but it was not those regulations, so much as the stories circulated respecting them, that had produced bad effects. He had been made the subject of a great deal of unmanly abuse, in connection with the same regulations; he called it unmanly, because the Legislature was just as responsible as he was for them, having allowed them to remain on the table during a whole session without attention. Three questions, he believed, were put in Par-

liament, in reference to the regulations, and the answers given were that the Government had no desire to press settlers. It was not fair to the Government or the department, that so soon as the session rose, fault should have been found by members who did not complain while the House was sitting. An early explanation was given and distributed by the Government, as to what they intended doing, but it was twisted and distorted into the opposite of what was meant. The poor people were frightened by being told that the Government was going to turn them off their farms, that they need hope for no mercy, and other similar inventions. He considered that if any person had been obliged to borrow money at high rates of interest, as was said, it was not so much the fault of the Government as of those pretended friends of the people, who, for their own purpose, stated that which was not the fact. As respects the amendment, the Hon. gentlemen (Hon. Mr. McDonald,) had allowed to the settlers in Huron and Bruec, being unable to pay their arrears. Now the lands in that part of the country were very valuable, and the department had been offered \$6 an acre again and again for them. It was the interest of all settlers, to pay for their lands so soon as possible, and the Government should not encourage any other policy. It was the fault of all Governments, that they were too lenient with the public Debtors, and he believed the history of the country did not furnish any instance in which the Executive had acted harshly.

The amendment was withdrawn and the Clause was adopted.

The remaining Clauses of the Bill were adopted with a few amendments.

The Committee then rose and reported the Bill with the amendments and the same were ordered to be taken into consideration to-morrow.

GROWING TIMBER.

Mr. ALLAN moved the second reading of the Bill for the protection of growing timber. In support of the motion the hon. gentleman said it was intolerable that the owners of lands should be exposed to the depredations which were being continually carried on by dishonest parties who stripped them of their best timber without their knowledge or consent. The only remedy they had was a suit at law against parties who were generally irresponsible, or the bringing them before a magistrate. In almost all cases it was easy to ascertain to whom lands belonged and there was no excuse for the trespassers. The law should attach a moral stigma to the robbery of timber just as it did to that of other descriptions of property. In olden time when both land and timber were of small value and it was hard to find out who were the owners, it might be no great matter that timber should be taken off, but the case was very different at this day when both were of importance. He had known of cases of extreme hardship in connection with the dishonest practice he was repro- bating. He had known of persons of small means who, by a rigid economy, had saved

enough of money to purchase a lot of land, but who were unable to go to the expense of employing persons to protect it, who had been despoiled of the timber upon it which constituted its chief value. He proposed to make the robbery of timber felony, and punishable by a short term in the Penitentiary, which he considered better than sending the parties to jail, from which in the condition our jails they were more likely to come out worse than better.

Hon. Col. PRINCE hoped the severe penalty would be restricted to parties guilty of cutting ornamental trees in enclosures, for it seemed rather harsh to send a man to the Penitentiary for taking a stick out of the forest.

Hon. Mr. VANKOUGHNET said the penalty might be considered severe, but when it was remembered that lumbermen encouraged the practice by buying timber thus stolen, without exposing themselves, however, to the strictures of law; it was time something should be done to protect this description of property.

Hon. Mr. BOULTON highly approved of the bill, and said he had lost thousands of pounds by the depredations it was intended to check. He was surprised such a law had not been passed long ago. Lands once of great value had been rendered positively worthless in this way, and for his part he could not see any difference between stealing wood or any other description of property. In Lower Canada a law had long existed which afforded adequate protection to land owners, and he could not see why in Upper Canada a man should be robbed by another, who would laugh at him and say, "you may sue, but I'm worth nothing."

Hon. Mr. CRAWFORD was equally sorry that such a law had not been long in existence, for he too had lost much by such depredations. There was an extremely low morality on this subject in Upper Canada, and a man who robbed you to your face would say, God Almighty has made these trees grow for everybody. The rule was that a man was at liberty to chop down any tree beyond the line which he could reach with his axe, and some of them must have had axes with handles a mile long, for they had often denuded lands that distance from their own lots. He had known timber lands to be sold at any price to get rid of the robberies. He could see no distinction between the theft of a stick worth a dollar from a man's land, or of a dollar in money from his house.

Hon. Mr. MOORE—The lax morality was not altogether confined in this respect to Upper Canada, for there were timber-stealers in Lower Canada too.

Hon. SIR E. TACHE asked if the bill would apply to Lower Canada.

Hon. Mr. ALLAN—it would.

Hon. SIR E. TACHE—There is a law in Lower Canada, but it is not so severe, and he did not think the evil complained of existed to any great extent in the Seignories. He had

known of one or two cases of persons being sent to prison for cutting down and taking away timber, and it seemed to him it cured the wrong. The law now in force he regarded as sufficient for Lower Canada.

Hon. Mr. MURNEY would ask the Hon. member how he would like it if he owned a valuable pinery of some 2000 acres, and a man came to him and said, "I'll give you the Government price for your land, and if you refuse I'll go and take the timber;" yet such was in reality the practice in Upper Canada. He knew this was an every day occurrence, and in two or three years the most richly wooded tracts had been rendered valueless. If the man could answer, "If you do I'll send you to the Penitentiary," there would be an end of these depredations.

Hon. Mr. KIERZKOWSKI stated that he had got a man fined for stealing his timber, after which the thief said the fine was a license, he had paid for the privilege, so he went again and again; so at last, by the advice of his lawyer, he (Kierzowski) had got some timber cut, and the same robber took it away, whereupon he was sued criminally and sent to jail, but the Crown did not pay the expenses of the process, and it had cost him (Kierzowski) about \$25 to maintain the man in prison. Such was the law in Lower Canada, and he heartily responded to the necessity of one like that of his Hon. friend.

Hon. Mr. VANKOUGHNET did not wish the law to be too severe, and he thought the House would be able to devise one which would meet the necessities of the case.

Hon. Mr. ALLAN had made the law applicable to both sections of the Province, at the request of several members from Lower Canada.

The Bill was then read a second time and referred to a Special Committee.

The SPEAKER announced a Message from the Assembly in respect of forming a Joint Committee on Printing, and naming its own selected members.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Monday, March 12, 1860.

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

ARGENTEUIL ELECTION.

The Committee appointed to enquire into the circumstances of the Argenteuil Election, reported that Mr. Sidney Bellingham had been unduly returned, and that Mr. J. J. C. Abbott received a majority of the legal votes cast at that election, and was accordingly elected.

Mr. Abbott was introduced and took his seat.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Monday, March 12, 1860.

BILLS INTRODUCED AND READ THE FIRST TIME.

BILL to amend the Act Chapter 63 of the Consolidated Statutes of Canada.—Mr. *Dunkin*.

BILL to amend the laws of this Province regulating the rate of interest, and to prevent usury, by establishing the rate of interest and the rate per cent.—Mr. *Bourassa*.

BILL to incorporate the Association of Provincial Surveyors and Institute of Civil Engineers.—Mr. *W. F. Powell*.

BILLS respecting the use of water-courses in Upper Canada. Also, an Act for quieting titles to Real Estate in Upper Canada.—Hon. Mr. *Mowat*.

BILL to amend the Act to regulate the inspection of beef and pork.—Mr. *Bell*.

COLONIZATION.

Mr. BUREAU stated that there were so many vacant lands on the St. Maurice, the Ottawa, and Saguenay, that the necessity for some system of colonizing them became apparent. He thought that if some were set apart, and free grants made in them to the children of farmers who had some capital to work them, much good might be effected, and the object attained which all desired, whether in Upper or Lower Canada. (Hear.) Immense canals, great railroads, without an agricultural population were of no good. He need not, however, point out the necessity of Colonization. Colonization was the history of our country. (Hear, hear.) We had 400,000 square miles of territory, but only 30,000 of them inhabited. To Colonization the United States owed their progress. To Colonization, and Agriculture, Lower Canada would owe her future prosperity. He would remark no further on this subject, since all admitted its importance, but move for a "Select Committee to enquire as to the most efficacious plan for promoting colonisation in this Province, and to take into consideration the reports

of the different Crown Lands Agents, as to selling or making free grants of the said Lands, with power to send for person or persons, papers and records; the said Committee to report from time to time to this Hon. House. The Committee to consist of Hon. *L. S. Morin*, Mr. *Desaulniers*, Mr. *Beaubien*, Mr. *Laugevin*, Hon. Mr. *Cameron*, Hon. Mr. *Foley*, Mr. *Simpson*, Mr. *R. Scott*, and himself."

Hon. Mr. CARTIER suggested the names of Mr. *Cameron* and Mr. *Baby*, as representatives of the Saguenay and Rimouski districts, both of which wanted Colonization.

The motion, thus amended, was carried.

ADMINISTRATION OF JUSTICE EXPENSES.

Hon. Mr. BROWN moved an Address to His Excellency, for a return of the sums paid annually since the Union, for the Administration of Justice in Upper and Lower Canada respectively; said return to show clearly the proportion of the said sum expended in the several branches of the said services, and also, what portion of the said expenditure was defrayed in each Province, from local sources, and what came from the Public Chest.

FREIGHT CHARGES ON RAILROADS.

Hon. Mr. BROWN moved for a Select Committee to enquire and report to this House as to the comparative rates of Railway freight charged on merchandize passing through Canada from and to foreign places, and the charges made on the same classes of goods when carried from and to Canadian stations, and the effect of said discriminating rates on the trade of the Province. Said Committee to enquire also, as to any arrangement entered into by any Railway Company or Companies for the purchase or charter of steamboats on Lake Ontario or the River St. Lawrence, or for the maintenance of steamboat fares at a rate fixed by the said Railway Company or Companies.

THE GOVERNMENT BANKING ACCOUNT.

Hon. Mr. BROWN moved for an Address to His Excellency the Governor General, praying that he will cause to be laid before this House,

a statement of the balances whether debtor or creditor, between the several Banks of this Province and the Financial agents of the Province in England on the first day in each month since 1st January, 1859.—Carried.

APPOINTMENTS OF GOVERNMENT.

Hon. Mr. BROWN moved for a return of all new appointments either permanent or temporary, in the several departments of the public service, made by Government or by Heads of departments since 1st July, 1858.—Carried.

THE HON. J. C. MORRISON.

Mr. NOTMAN enquired of Ministers if the Hon. J. C. Morrison, who has recently been gazetted Solicitor General for Upper Canada, is to be permitted to hold that office without a seat in one of the two Houses of Parliament.

Atty. Gen. MACDONALD.—No.

Mr. NOTMAN also enquired whether Mr. Morrison is to continue to hold the Registrarship of the City of Toronto, conjointly with the Solicitor Generalship of Upper Canada.

Atty. Gen. MACDONALD.—No.

Hon. Mr. FOLEY.—Two negatives make an affirmative. (Laughter.)

SEIGNORIAL SCHEDULE.

Mr. BUREAU moved "that the schedules for a great number of Seignories being completed, it is expedient that the duplicates of these Schedules should be immediately despatched in conformity with the Seignorial Amendment Act of 1859."

Hon. Mr. CARTIER said the intention of the Government was that these Schedules should be brought down. He had, however, that morning had a conversation with the Hon. member for St. Hyacinthe, who had expressed his fear that there was a legal difficulty in the way. He would provide for that in a bill he intended to bring in during the Session, relating to certain small fiefs in Montreal.

Hon. Mr. SICOTTE—During the Session.

Hon. Mr. CARTIER—During the Session, undoubtedly (Hear, hear;). He proceeded to explain, in conversation with several members, that the Government did not intend to legislate for the benefit of the Seigneurs, but for that of the *censitaires*; the late bill, it must be remembered, was not for the purpose of buying up the *droits de banalité*, but to buy up, by capitalization, the profits of those *droits*. In a Seignior where there was no mill, there was of course no *banalité*. He hoped the Hon. member would withdraw his motion.

Hon. Mr. LEMIEUX was glad to hear what had fallen from the Atty. General East. He had himself introduced a bill relating to the subject, but would wait before pressing it until the promised measure would be introduced.

Mr. BUREAU withdrew his motion.

FINANCES OF MUNICIPALITIES, U. C.

Hon. Mr. MORIN moved an address for "a digest of the several returns obtained by Government annually of the financial affairs of the

several Municipalities in Upper Canada." He said his object was to direct the attention of Government to the neglect on the part of Municipalities to make these very necessary returns.

Hon. Mr. GALT said the address had better be carried, then the Government would give all the information they possessed. The Government had thought it their duty to make enquiry into the financial affairs of those Municipalities indebted to them, and into those of others.

Hon. Mr. CARTIER remarked that the Act under which these returns were to be made, was one of the Hon. Mr. Merritt, and had no penalty attached for non-fulfilment.

Hon. Mr. BROWN said the returns were all the more desirable, because they would, he thought, remove the impression that existed as to the amount of Municipal Securities issued. The amount was over-estimated, he believed.

Hon. Mr. GALT thought so too, most of the municipalities had incurred their Debts under the Municipal Loan Fund.

The motion was then carried.

PROVINCIAL LUNATIC ASYLUM, LOWER CANADA.

Hon. Mr. BROWN moved for a return from the managers of the Provincial Lunatic Asylum at Beauport, of the manner in which the several sums paid from the public chest, towards the maintenance of that Institution, have been expended, from the time of the last published report to the present date.—Carried.

PIERS BELOW QUEBEC.

Hon. Mr. BROWN moved for a return shewing the amounts paid from the public chest for the erection of the several landing piers below Quebec, for repairing the same, and for watching the same; said return to show also the revenues derived therefrom.—Carried.

POLICE IN UPPER AND LOWER CANADA.

On the motion of Hon. Mr. BROWN, an Address was ordered for a comparative return of the several sums paid from the public chest, since the Union, for the aid or maintenance of Police in Upper and Lower Canada respectively.

TUG STEAMERS BELOW QUEBEC.

On the motion of Hon. Mr. BROWN, an Address was ordered for a return, showing the several sums paid from the public chest to Mr. *Francis Baby*, for the maintenance of Tug Steamers below Quebec, from the commencement of the contract to the present date; said return to show clearly the amount paid in each year, as direct aid, under Mr. *Baby's* contract,—the amount paid in each year from the public funds, in reduction of rates charged by ship owners, and the amounts paid to Mr. *Baby* by the ship owners in each year; said return to show also the amount advanced by Government towards the building of Mr. *Baby's* steamers, and the number of vessels towed under the contract in each year.

SPECIAL FUNDS.

On the motion of Hon. Mr. BROWN, an Address was ordered for a return of the balance at the credit of each of the Special Funds in the accounts of the Provinces; said return to show clearly the several securities in which the said balances of each of the said Special Funds have been invested, the price paid for each of said securities, and the date of purchase.

RAILWAY RETURNS.

On the motion of Hon. Mr. BROWN, an Address was ordered for a return of the receipts and expenditure of the Grand Trunk and other Railway Companies, to 31st December, 1859; said return to show clearly the annual earnings, per mile, in gross, and the cost per mile, in gross, of running the trains.

LAKE ST. PETER.

Hon. Mr. DORION enquired of Ministers, whether it is their intention to assume any portion of the debt contracted by the Montreal Harbour Commissioners, for the improvement of the navigation of Lake St. Peter, or to recommend to this House an appropriation to aid in carrying out the improvements already commenced.

Hon. Mr. GALT would be prepared to answer the Hon. gentleman, when the estimates were brought down.

COLONIZATION ROADS.

Mr. D. ROSS moved for an Address to His Excellency the Governor General, praying for a return, showing the expenditure made by David Gibson, Superintendent of the Colonization Roads.—Carried.

EMIGRATION REPORT.

Mr. McGEE enquired of Ministers why the annual report of the Chief Emigrant Agent at Quebec, and the accompanying report of the German or Norwegian Agent, had not been laid on the table; and when they might be expected?

Hon. Mr. ALLEYN replied that it was not the custom to lay such reports on the table; but as the Hon. gentleman required them, they should be brought down.

CLERKS OF THE PEACE.

Mr. WALKER POWELL moved for an Address to His Excellency, praying that he will cause to be laid before this House, a statement from the Clerks of the Peace in each of the Counties, or Union of Counties in Upper Canada. 1st. Of the number of names returned in 1859, from each of the Municipalities within his County, liable to serve as Jurors in 1860. 2nd. The number selected in 1859, by the County Board of Selectors, to serve as Jurors in 1860. 3rd. The number of members of County Board present, when selections were made. 4th. The number of days occupied by County Board selecting Jurors in 1859, and from the Treasurers of each of the Counties, or Union of Counties in Upper Canada, shewing—1st, the amount paid respectively to the Clerk of the Peace, 2nd, the Sheriff, 3rd, the County Board of Selectors, and 4th, the Crier, for services under the Jury law during the year 1859.—Carried.

ANTI-USURY BILL.

Mr. McMICKEN rose to move the second reading of his Bill "to amend the Laws relating to Usury, and to fix a maximum rate of interest." He said—I know, Mr. Speaker, that, in introducing this measure, I lay myself open to the charge of altered opinion on the subject to which it relates. Indeed, Sir, it has been intimated to me that I am to get an exclamation from certain parties on the ground of this charge, and amongst others from no less an opponent than the consistent Champion of the Money Lender, the leader of the Opposition. Nothing alarmed, however,—knowing that "Thrice is he armed who hath quarrel just," and having this vantage ground.—I consider it no act of temerity to anticipate the blow and stand up for the protection of the Bone and Sinew of the Country—the Producing Classes generally, the Farmers more especially. Courtesy, however, as well as the principles of sound reasoning, require that, to those who question it, I should explain the apparent anomaly of my position in regard to this Bill, seeing that, in a former Session of this Parliament, the Law it proposes to repeal, received my zealous advocacy and support. I shall do this, Sir, and concurrently deal with the general question involved. I am free to confess that the grounds upon which I advocate this measure are diametrically opposite to the views I have heretofore generally held on the principal of it. But, Mr. Speaker, a course of error, whether of a longer or shorter duration, is no argument for a persistence in it. If, upon examination of sober reflection, and close observation, a man is convinced of the erroneousness of his views on any particular subject, is it not his duty to yield to the truth when demonstrated? How is it, Sir, with the current idea now obtaining among men as to the age of the earth (apart from man's existence) to what obtained even fifty years ago? And is this not just that the fact was demonstrated contrary to previous belief? But, to come closer to our own experience, have we not had "Representation by Population" puffed, praised and paraded by the Hon. the Leader of the Opposition, the Senior member for Toronto, as the great panacea, the certain specific for the cure of all the ills the body of the State Politic was "heir to?" Was this not the key-note of the party cry at the last general election, and, on it, did not, as is claimed, the majority of the Elections in Upper Canada turn? What has been the change! The Hon. member has forgotten his pathetic peroration to one of his feeling addresses to the House, when he declared (most patriotically, I must say, had it been other than "*vox preterea nihil*") that if Representation by Population was but secured, he would take his hat, walk out of the House and abandon political life, satisfied that his country was safe. Representation by Population was strangled by the Hon. gentleman's own hands. Keeping the promise to the ear of the public, but breaking it to the hope, it was shut out substantially from all discussion by the wily delusion of intro-

ducing it as an amendment to the Address. And now, Sir, once thrown overboard, it floats as a stray waif no more of use as a stepping stone to office. But to return to the subject, I have to say, Sir, that my former views were but what are those of the vast majority of the advocates of what is called "free trade in money;"—The reception and holding of a specious and plausible theory, seemingly so incontrovertible as to stifle all thoughts of inquiry into it. Money, it is said, is but a "simple commodity" that it "should be so dealt with and legislated upon as in respect to other commodities"—that "Trade in Money should be free"—that, bringing free, it "would find its own level". "Capital become abundant" and the rate of interest "rule low." These propositions, Mr. Speaker, being the substance of the theory to which I have alluded, I am now to controvert, and, I hope, to shew, that however correct in theory they may appear to be, in ordinary circumstances they are in practice delusive, the premises fallacious, and the conclusions contrary to experience. That money is not a "simple commodity" sufficiently appears by considering what money really is. What, then, is money? is the important question that arises, and I address myself briefly to its solution. Money is the "Representative of Commodities." The universal medium of exchange and substitute for Barter. And here it may be perceived at once lays the error so freely embraced, and so boldly urged. It is entirely overlooked, or at all events appears to be so, that money is the Representative, not of one, or of some, only, of the articles in which men trade, or which enter into the Schedules of Commerce, but of *all*. It represents all other things that men trade in, or exchange with each other. It therefore follows, as a necessary consequence, that money has a relative value and peculiar property beyond all else that is bought and sold. With money I command whatever else in trade I wish to procure, wherever it may be found; but with some article of commerce, some "simple commodity," I must have it sought out from me by the holder of money, he knowing that money represents to me that which I am in want of and wish to procure, and that it furnishes me with means of obtaining it. Again, money is not a perishable article. The holders of money are under no anxiety to dispose of it for fear of its deterioration or decay. It is held to take advantage of its peculiar properties and power at the fitting time, when the necessities of the holder of some commercial consumable product or the fear of its depreciation by decay or waste lead him to dispose of it. And, again, it is not an article which men ever fear will be produced in overabundance. The market will never be overstocked with it so as to lower its actual value; a dollar will always remain a dollar; and although it may not always be hired out at the same rate, it is in itself of no less value than before. Should it, however, as it will, sometimes, appear otherwise, it is only in appearance and not in reality, for the real difference lays in the abund-

ance or dearth of consumable products for the time being, and has nothing whatever to do with the relative plenty or scarcity of money. For instance, if money was plenty, and wheat (our great staple) was produced largely in excess of the consumption, the plenteousness of money would not lead to the creation of a market, or an increase in the price for wheat, when it was not needed by any; no exchange could be made with it; and as it must perish within a given time, the anxiety to save to the utmost degree would more and more glut the market already over-stocked, and the price descend accordingly—whereas money representing *all* other things, could be employed in the purchase of such commodities as were not generally in abundance, or evenly distributed, and thus be employed to profit and advantage. Money, let it be remembered, has, as money, no intrinsic value. The product of labor has an intrinsic value, and is sought for on account of that value. Money is the Creature of Legislative Enactment—a mere certificate of value—a legal standard by which value is measured or rated. To make money a simple commodity or merchandise, requires that all commodities of trade, all merchandise, should, by legal enactment, be made *money* too. This would equalise their values and relative properties, and money, as every one must see, as an invention, be destroyed. The distinction may be further clearly shewn in this—that money pays a debt at the will of the debtor, whereas his simple will can inspire no such privilege or power in merchandise.—That money is borrowed and loaned; and that merchandise is bought and sold. Money is borrowed and loaned on special terms and conditions of security. Articles of merchandise are eagerly sold on credit with out such security. It is said that money has its value according to the relative value of the metal of which it is made. But let the Gold be without the impress of the legal die, is not the artificial value of money made apparent at once, and the gold of no more use for the payment of debts, than so much wheat or timber, except its smallness of bulk which affords an easier transportation. Much, very much, might be said on this point, but enough has already been adduced, I hope, to lead to a more thorough consideration of the subject on the part of many who, like myself, have heretofore, as it were, taken for granted that which will not bear the test of close examination, and I trust my endeavor has not been without effort in showing that money differs very essentially from simple commodities of trade. Now, Sir, the next question is "How can free trade in money, or unrestricted interest increase the Capital of the Country." It is a most absurd idea which this question involves, and will not bear a moment's consideration. Money attracted to the country by Usury or high Interest, is not the acquisition, but the loss of Capital. Money sent abroad is but the slave of its owner. In a few years—a very few indeed Sir as interest runs now it returns to its owner, doubled, ay, I fear. I may too truly say, quad-

rupted. The community in which the owner lives, profits; that in which the money is used, suffers loss. The real capital possessed in the country, remains unaugmented, in any case, with the strong probability of its reduction, if the results aimed at, as advocated by the holders of this idea, in the introduction of foreign capital, by the investment of money in Bank Stocks and loans, &c., by Capitalists in England and elsewhere, should follow; and this was the great argument used in favor of the total repeal of the Usury Laws. Now, what is the fact? Does the Capitalist, who thus invests his money in Canada, lose any of his capital? Is it on account of its investment here any the less his, than before? No, surely not Sir. Then, if his is not diminished, how can ours be increased? The fact, the actuality, is otherwise; he increases his capital, the interest being high, by the diminution of ours; and at the present moment, the appalling evidence of this fact stares us in the face, by the depressed and embarrassed circumstances of nine-tenths of those who have been carrying on their operations through Banking accommodation, while the Foreign holders of over six millions of our Banking capital have annually taken away from our stricken Agriculturists, their eight per cent dividends. Capital lent at a high rate of interest must be hurtful to us, because the average rate of profit on the employment of capital in the production of our staple commodities is below a high rate. And let it be remembered, sir, that the rate of interest is not determined by the amount of currency, but by the average rate of profit derived from the employment of capital. This is the ground taken by Hume, and from his time to the present stands accepted as correct, and which should be our guide in establishing a rate. Well, say some again,—“Let money be free, and just as it can find employment, so will the rate of interest be.” Where there is a redundancy of capital, this, to a great extent, will be the case in regard to commercial transactions, as in England, where money waits and seeks employment in the manufactures and commerce. But here the circumstances are the very opposite of those of England, and consequently other rules apply. In Canada, there is no large trade or manufacture engaged in by which exports are produced, and our whole reliance for the maintenance of our credit and, and our hopes of prosperity must be upon the products of the forest and the soil. The farmers of the country are the stay and hope of all our interests, and the question naturally presents itself—what rate of interest will Agricultural pursuit warrant? Will any Honorable Member seriously maintain that our farmers or persons engaged in moving the products of the industry of the Country, can afford to pay a high rate of interest, or that it is right to leave them to the caprice or tender mercies of those whose unrestricted consciences would lead them to baton upon unrestricted loaning of money. Let me instance a hypothetical but familiar example or two. Ten per cent has ordinarily been held as a fair rent on house property, and gene-

rally it is quite as much as is obtained here. Well, the proprietor borrows money at 6, 7 or even 8 per cent. Above the highest of these rates he has a margin, and, consequently, a gain upon his investment: but if he borrows at 15 or 20 per cent how long will it be ere the property ceases to be his. Again, a farmer from a succession of bad crops or a desire to enlarge his operations, borrows a sum of money;—what return must he have from the soil to pay for this 20, 30 or 50 per cent, and how soon will the accumulation of interest run his farm into the hands of the usurer. Actual cases of such ruinous consequences, I regret to say, are of frequent occurrence, the proof of which is daily to be seen in the advertising columns of our newspapers, in property offered for sale by Loan Companies, and individual lenders, for forfeitures under power of sale and foreclosure in Chancery. It is within my own knowledge, Mr. Speaker, that a loan obtained at intervals, amounting in all to £225, was actually swelled by the rapacious management of the extortionate lender, in about two years, to over £600. What argument do we want, Sir, in the face of even one such fact as this, done by sanction of Law, framed, passed and approved by a Legislative calling itself Christian. At present it is to be noted the circumstances of the Country are such that men seek loans from necessity and not for the speculations of Trade and Commerce. It is said, Sir, as I remember it was said on the floor of this House in a discussion provoked by a similar Bill during the last Session, that Usury Laws are the “relics of a barbarous age.” Well it may be so, but with all the enlightenment and progress of this wonderful Nineteenth Century, we must admit that wise men have lived before our day—that Countries have been governed wisely and well alike under different systems of Law and Order—that money itself is an invention of past ages of remote date. The experience of the past is well calculated to afford us useful lessons, and if we refer to it we will receive much light for our guidance in relation to this very subject. I remember on a certain occasion the Hon. Commissioner of Public Works asserting, as evidencing the tendency to benevolence in civilization, that “no Country was without a legal dower.” So, Sir, there has been no Country without its Usury Laws. It seems an instinct implanted in the human mind, and actively brought out whenever civilization has so far advanced with tribe or race, that use is made of this great device of man for the facile interchange of the world's commodity, money—an instinct I say, Sir, almost as universally prevalent as is that of the natural assent of the human race to the existence of a Power above us of a good or evil Deity to be worshipped or propitiated. Ancient Rome in her early days discouraged Usury. China rules against it. The Hindoo Institutes of Menu declares it wrong. It is denounced in the Koran and scarcely an exception exists at the present day throughout the world, amongst the Nations of Commerce, to the propriety and neces-

sity of a restriction on the rate of interest to be taken for the loan or forbearance of money. England, through her centuries of strife in the race for commercial dominion, maintained severe statutes against it, and her progress was onward in all her interests. No License to share helped her farmers, mechanics, merchants and manufacturers, and now only when a plethora of Capital seeks employment, dare she make trade in money free; and it may be well to observe that England fully tested this question by practical experience. When poor, in 1845, she tried 10 per cent for a maximum. Finding this oppressive, and restrictive of industry, she in 1624, after 79 year's trial, reduced the maximum to 8 per cent. Thirty-six years afterwards she further reduced it to 6 per cent, and in the Reign of Queen Ann the rate was still further reduced and established at 5 per cent, and it is particularly to be observed that it was while interest was fixed at this low rate that the Country flourished and rapidly advanced in her career of greatness, until, in these later days of her prosperity, the abundance of money rendered limitation unnecessary. But it is objected by some—"Oh what is the use of passing restrictive Usury Laws; they will be evaded; men will lend and others will borrow at high rates in spite of them." Now I hold this objection makes more for the principle I advocate, than against, for if so much is done that is so outrageously wrong against and in spite of the Law, what will it not—what does it not—amount to, when the Law, as now, leaves the needy and those in difficulty, defenceless and exposed to the rapacity of those whose hearts are "metallified" through the love of money "the deceitfulness of riches." Admitting, however, that such evasion or breaking of the law will occur, it will be but as the exception and not the rule. Men will risk money to make money; but I apprehend, Sir, if this proposed measure becomes law, few will be found who will risk their personal liberty for any limited amount of pecuniary gain. Still, were it otherwise, there would be this to urge, that the law of the land would not countenance or encourage acts of cruel exaction and extortion; and that such cases do occur I will now refer to an authority which by some Hon. members will be received as paramount and infallible. For their edification I extract from the *Globe* of 24th Jan., 1857, the following words:—"Cases of exaction are sometimes heard of, extortions so cruel that the mind revolts against the Usurer, and palliates even while it condemns the miserable plea of Usury." Then why, Sir, I ask, legalize the practice of that at which the mind revolts? If the tone of society were such as once ruled in Athens, when it was found quite unnecessary to pass any penal enactments on this subject—Usurers being regarded as the most vile and ignominious of mankind, and the profound contempt to which the public voice condemned them rendered any other punishment unnecessary, then we might be spared the enactment of a Usury Law. But unhappily, Sir, it is not so with us, and therefore it is incumbent upon us

in this as in other cases within the sphere of our duty to place guards over the weaknesses and checks upon the passions of such as it is proper to restrain. But, again, it may be said there seems no greater oppression in taking a recompense for the hire of money than for that of any other necessary or convenience. But I apprehend it is equally contrary to conscience and to the principle of Law, to demand an exorbitant price for the hire of a horse, or the loan of a sum of money. But apart from the question of morality it is alike repugnant to the best interests of the social compact. That a fixed rate proportioned to the profits of the industry of the Country shall be established as the rate to be taken for interest on a loan of money, is consonant equally with the highest moral principle and the highest public policy. It is the duty of the State, and I hold it to be especially the duty of this Legislature at this time to encourage, by every practicable means, the employment of capital in developing the resources of the Country, and in the pursuits of Trade and Commerce. It is but by such means we can expect to increase our capital, and make progress as a people. But allow men to obtain for the loan of money as high a rate of interest, without risk, as those do who engage in the hazards of producing, manufacturing, or trading, the industrious will be ground down by the money lenders; fall they must—their ruin is inevitable, and the time when—is only a matter of day, or month, or year. It certainly is more for the public advantage that possessors of money should engage in industrial pursuits with their money than take the benefit of it through the industry of others. The profits on business, carried on upon borrowed capital at high interest accrue to the benefit of the monied capitalist, and this, encouraged and fostered by Law, would lead men, one by one, to leave the time hallowed pursuits of Agriculture, Trade and Commerce, to engage in that practice which we have seen results in cases of cruel exaction and extortion, a pursuit which fails not to blunt the sensibilities of man's heart, spreads misery amongst his neighbors and works evil to the State. This great evil is now spreading as the practical result of the recent Legislation on this subject, and, if allowed to remain as it is in Western Canada, will soon cease to be the heritage of an intelligent yeomanry, and become, after the Usurer has ruined the mass, as a millstone about his own neck, to drag him to share the ruin of which he himself was the author under sanction of Law. Sir, if that man deserves well of his Country, and is to be reckoned a benefactor to his generation, who makes two blades of grass to grow where one only grew before, what reproaches are due to, or what terms of reproach too strong to use in denunciation of him who is the cause of but one blade of grass growing where two were previously produced. The Usurer under the present Law, Mr. Speaker, is this man,—for he is causing many Sons of the Soil, in the present day, to sell their birthright for a mess of pottage, and betake themselves to other climes

and to other lands. But it is further objected that if men are restricted in lending their money they will withhold making loans? No danger of this, Sir. Money does not fructify in the vault; it begets nothing in the strong box, and they will soon find out that it is better to lend money to men at 6 or 7 per cent, whose pursuits enable them to realize a profit exceeding this rate, so that their loan may be safe, and the payment of interest punctual, than lending, as now, at high rates; their safety resulting in sending out homeless the innocent and helpless, and themselves ultimately burdened with unproductive capital. They would most assuredly either loan their money for the reasonable rate proposed by this Bill, or warranted by the state of the Country, or otherwise,—they would become the working bees of society themselves instead of the drones in the social hive they now are. I will now, Sir, read a few extracts from letters I have received from the Country since this Bill was introduced, which will fortify the positions I have taken on this question:—"I am happy to say that your measure, to regulate and fix the rate of interest to be taken for the use of money, meets with general approbation, and I hope you will use all your exertions to have it become Law." Another says: "I am well pleased with your Usury Bill and agree fully with the principle upon which it is based. It will prevent a large amount of extortion and enable borrowers of money or purchasers on credit a reasonable chance to meet their engagements." Another writes as follows:—"Your Bill to fix the rate of interest is gaining favor from both friends and foes. R. E. told me that, notwithstanding he had worked his hardest to keep you out of the House, he could not but approve of your measure; we had a long talk, and he is of opinion that the state of things will, if allowed to go on much longer, cause a total change of ownership as regards Agricultural Property,—he hopes the Government will support you in this measure. In the present depressed state of the Agricultural interest, the man who borrows money at 20 or 25 per cent, and mortgages his farm, is hoping against hope."

And another says "I have further to say to you that I hear a great many of your opponents say that, if you manage to get your Usury bill passed, it will be a good thing for the country" And to close these extracts, I add the following:—"If we have insane men amongst us, as those would appear to be, who undertake to pay such ruinous rates for money as money is now lent at, and who cannot protect themselves their wives and children, then it is your duty and the duty of the legislature, to make laws to protect them." Here, sir, before closing, I would call to the recollection of the House the harrowing remarks of the Hon. member for Lambton, while so feelingly portraying the distress and sufferings of the poor settler in the new townships, when he informed us that it was within his own knowledge that many of these for whom he awakened our earnest sympathies, had, in their

fear, been obliged to pay 20 per cent for the use of money, I would not comment upon this, but leave it to tell its own story, and impress its own moral upon the House. And now, Mr. Speaker, to conclude, I have only to add, that I do hope, if the House will not be convinced, that it is its duty to pass this Bill into law, that there will be sufficient candor manifested, so that things may be rightly named, and the title of the Act, Chapter 58 in the Consolidated Statutes, be expunged, and instead thereof it be intitled "An Act to legalize extortion, and to pauperize, and depopulate the country."

Mr. JOHN CAMERON was much disappointed at the proposal of his Hon. friend, for, in his opinion, the law of 1858, abolishing the Usury Laws, had not had a fair trial. The Law had produced much satisfaction in Great Britain, and although the anticipated results had not yet followed, the fault was not in the Law, but in the circumstances of the country, which had been depressed for the last two years, and had rendered people at home very cautious how they loaned us cash. Under more favorable circumstances, he thought the law would have produced all that was expected from it. We certainly wanted money, and as certainly as we did, a return to the old system was not calculated to bring it to us. It was satisfactory that Canada was now lifting up its head in England or the Minister of Finance would not have been able to borrow a large sum at five per cent. In a little while, with returning prosperity and confidence, he had no doubt money would flow in and the rate of interest would be much lower than it was. He thought his Hon. friend was quite premature in introducing this Bill, and he hoped it would not pass. He was sure no one in the House would consent to the clause which made Usury punishable with imprisonment. As to the change in public opinion, he doubted whether it was as represented in Upper Canada. It was not fair to compare Canada with either New York or Great Britain, which were countries where there was an abundance of capital seeking investment; but he had found that even in London, rates, quite as high as were given in Canada, were daily paid there. He hoped the majority of the House would refuse its consent to the Bill.

Hon. Mr. LORANGER said, when a Bill was offered for a second reading, it was absolutely necessary that its principle should be fixed, but there was no principle in that before the House. It purported to have for an object, the fixing of a definite rate of interest, but it did not say whether it was to be six or eight or ten per cent. He would like to see a uniform rate of interest for money, and he thought the old one of six per cent. was the correct one. If a law were passed to revive that which had been repealed, some intelligent discussion could be had; but, in the absence of anything clear and explicit, he thought it impossible to proceed. Certainly, one of the clauses in this Bill could never be admitted, for it proposed sending the usurious lender to jail, which was an extreme rigor, op-

posed to the spirit of our laws. Another clause was similarly objectionable, for it proposed to compel the lender to appear before the Magistrate and to interrogate him after the manner of the present Courts. The penalty of the old Law, viz., the forfeiture of three times the amount exacted, was sufficiently severe. He had regarded the Law of 1858 as an innovation, but he thought it too soon to make another innovation, and he would prefer that the Law as it stood should have a better trial than it had yet received. The laws relating to interest, and those concerning commerce were so intimately connected, that to derange the one was to derange the other, and under the last Law, contracts had been made and a certain condition of things indeed, which ought not to be disturbed so abruptly. He would prefer allowing the Law in force a further test of a few years. If the borrower were consulted, of course, he would ask a low rate, if the lender, he would want a high rate; but the interests of both could not be consulted, and it was that of the country as a whole that should weigh with the House. The Banks charged 7, but the real rate to the borrower was nearer 9. A few days ago we were told that 10 per cent. was a low rate in Upper Canada, but it was not so high here. He objected to the indefiniteness of the Bill.

M. CHAPAIS said, the principle of the Bill was clear enough. It was to enact a fixed rate of interest.

Mr. LORANGER continued to assert it was dangerous at a second reading to pass a bill which did not affirm its most important point distinctly. He said the simple principle involved was, should the man who took more than 6 per cent. interest be punished or not? He alluded to the experience of France, where the old Usury Laws had once been done away with, but had to be restored by Napoleon I., who fixed the rate of interest at 5 per cent., under which France had prospered since then. The change in the Usury Laws had, he affirmed, been imposed upon Lower Canada, and he was almost happy to find that Upper Canadians who had called for it were the first to find out its injurious working.

Hon. Mr. CAUCHON, in answer to Mr. Loranger, remarked that there was a principle in the Bill; it was, should the rate of interest be restricted or not? That was the principle which it was asked the House should sanction by its vote. The detail, as to whether that restriction should be to 6 or 8 per cent., could be best fixed in committee. It was all very well for the Hon. member to say that he was in favor of the old Law. Why had he affirmed immediately afterwards that the new Law had not been tried sufficiently? The fact was, he was opposed to the principle of the Bill. He (Mr. Cauchon) then expounded his views as to the nature of money, which were similar to those of Mr. McMicken. The desire for usury existed everywhere. He knew of at least one case in Upper Canada where £500 had been promised for the use of £250 for two years. Now what could become of unfortunate people who had to pay such a

rate as this? They could not realize it from respectable, legitimate business, and must therefore, fail to satisfy the demands of the usurers. They would be sold out, and would realise all the disadvantages of there not being a proper law against the exactions of the money-lender.

Hon. Mr. FOLEY said, though it might be contrary to the expectations many had formed, he intended to vote for the Bill. (Hear, hear.) He should, however, commit himself only to the principle; he had not sufficiently examined the details to give them his assent. His reason for voting thus was, that past experience had proved to his satisfaction, that the abolition of Usury Laws had not been productive of that benefit which was anticipated. He did not believe that at any time, a majority of the people of Upper Canada had been in favor of abolishing the Usury Laws, though at one time it was thought probable that such an abolition would be beneficial in promoting trade and relieving the exigencies of the country. But at the present time, he believed a large majority of the people would advocate the re-enactment in some form of a law against usury. He should therefore vote for a second reading of the Bill, reserving to himself the right to make some amendments when it was in a more matured state.

Mr. CARLING said, the public feeling in every town and city in Upper Canada had been in favor of the change proposed and carried into effect two years ago. The Boards of Trade in London, Kingston, Hamilton, Toronto, had all petitioned in favor of the abolishment of the old Usury Laws. Since then, there had been a very general satisfaction felt in his part of the country at the alteration effected. In London, some £100,000 had lately been lent out at 10 and 12 per cent.; whereas, before the change, the current rate obtained had been 15 or 20 per cent. (Hear.) There had not been a single petition in favor of a return to the old system from any part of Upper Canada, except the county of Elgin and the town of Niagara; and he thought that if the people of Upper Canada were polled at the present day, the great majority would be content with the Law as it stood. (Hear, hear.) For his part, he said, give the present Law a fair trial—let it remain in force another year, at least—and, if then it were found not to work well, he would vote for its repeal. (Hear.)

Mr. McMICKEN read a petition he had just received from the Town Council of St. Thomas, sealed with the seal of the Municipality, and accompanied by a letter urging him to press his measure.

Mr. CARLING—That was the petition from Elgin to which he alluded. He had understood the Hon. gentleman to say, moreover, that no one who voted against his Bill would stand a chance of re-election in Upper Canada.

Mr. McMICKEN had said so.

Mr. CARLING intended to vote against, for one, and he believed the majority of his constituents would sustain him.

Hon. MALCOLM CAMERON thought the abolition of the Usury Law had operated

favorably in Upper Canada, and had enabled many to borrow at lower rates than before. In London, C. W., within his knowledge, the Messrs. Harris and others had loaned very large sums at eight and ten and twelve per cent. Usury Laws would not prevent usury. The practical operation of the Law abolishing usury had been to reduce the rate of interest from twenty-four to eight per cent. (Oh!) In Kingston, money had been bound by Hon. Alexander Macdonald at eight per cent. Capital had come to the country from England that would have never come had the restrictions remained, and a large number of persons had been enabled to borrow money at eight per cent. Money had been borrowed of the Land Company of which he was a director, at eight per cent., to the amount of \$80,000. In view of such facts, he was much surprised that the Hon. member for Niagara should wish to fix a certain rate of interest, and inflict pains and punishments on those who loaned their money to the best advantage.

Mr. ADAM WILSON knew from experience that the law was operating favorably in Upper Canada. It was a case in which interference of Legislative power must have an evil effect. To say that at all times, to all persons, and upon all kinds of securities, money must be loaned at a certain fixed rate, was certainly unreasonable. He thought it capable of demonstration, that money was a commodity, with an inherent value, notwithstanding Mr. McMicken's argument to the contrary. The interest a party received for money loaned, was equivalent to profit received, if the same money were invested in goods or land. The present law had worked well, and he should vote against the bill proposed by the Hon. member for Niagara.

Mr. STIRTON said that in the section of country from which he came, hundreds had been able to borrow money at a much lower rate than they could have done before the repeal of the law relating to usury.

Mr. PICHE said it was proposed now to put a stop to those, who having money, tried to squeeze it from the pockets of the poor. The Parliament ought to represent, fairly, the sentiment of the people, and he affirmed, that there was no doubt whatever, about the public sentiment on this subject, in spite of the orations of those who had that evening taken the part of usurers. He hoped, the anti-usury party would be more fortunate, this year, than in 1858, and that they would carry this bill through its second reading. How had countries made themselves rich? Was it by opening the door to the usurer? No, for the usurer ruined those who got into his clutches, and a law, which favoured his nefarious attempts, was nothing better than a law to legalize robbery. The theories of the newspaper writers were as nothing, when placed in the scale, against the results of experience.

Mr. SIMPSON said the question now before the House, is one of the most important that can by any possibility engage the attention of

members, for it bears to a greater or less extent upon the comfort and material interests of every family in the country, and many an anxious hearth, particularly in Upper Canada, beats with earnest expectation for the result of this night's discussion. I was glad to hear the manly candor, with which my friend from Waterloo expressed his sentiments regarding this bill, and I should have rejoiced, if other gentlemen, who have taken part in the debate, had treated the subject with the equal firmness; but was not the argument, used by the member for Victoria, a most extraordinary and most inconsequential one? My Hon. friend declared in express and explicit terms, that under the law, as it now stands, the rates charged for interest on money have been most extortionate and unjust, and, therefore, injurious to the substantial interests of the country, and yet, in the same breath, he tells us that he wishes a further trial to a system which is producing such results? Surely, a state of the law which is pressing most heavily upon the industry and energy of the country, cannot be remedied too soon. And the Hon. member reasons as if the whole of the evils complained of, originated in the Act of 1859, when, in truth, the virtual repeals of the Usury Laws commenced with the Act of 1853, and Usury has been getting more and more rampant in Upper Canada, ever since the date I have last mentioned. True it is, that in 1858 we found an anomalous state of things existing, and, in the hope of curing this, and under a promise from the advocates of the measure that it would render money more plentiful, and cheaper the rate of interest, the principle of repeal was extended in 1858, but the results of that act have been the very reverse of what was expected and promised, and the evils which commenced in 1853, and culminated in 1858, have ended in elevating money far above its real value, and depressing all other property, infinitely below its real value. The member for Victoria, alluded to the example set by England on this subject, but no member of this House is more deeply sensible than himself of the unfairness of quoting England's course for imitation by Canada, for which we are sadly deficient in money capital. Long centuries of successful exertion in agriculture, commerce and manufactures, have accumulated wealth in England, not merely equal to the necessities of its own people, but enough to furnish supplies for the legitimate uses of all the rest of the world put together, and, as I discard the policy of England in this matter, so I lay no stress upon the legislation of the Chinese or of the Hindoos, but I do think we should attach some weight to the course of countries similarly situated to our own, and that their legislation should be well considered by us. Take, for instance, the State of Wisconsin, where an unlimited rate of interest was tried; the experiment lasted for about two years, when its legislature, finding that as with us, the measure was converting the freeholders into tenants, speedily put an end to it, caring nothing about the cry for a "fair trial," which

was just as loud in Wisconsin, than as it is now in Canada. Again, take the state of New York, a territory conterminous with a considerable portion of our own country, and the people of which may be said to be in about the same circumstances as our own people are, and there, as my friend from Welland tells you, the legislature has not merely established a fixed rate of interest, but is now occupied in reducing that rate from seven to six per cent. I shall not trouble the House with any definition of money, or of the relations between money and commodities, but I must make one remark upon a closet-proposition advanced by the member for North York. Interest upon money, said the learned gentleman, is the net profit a party would make if he used the money in any line of business. This theory might be applicable in a nominal state of things, where there is anything like equality between supply and demand, but practically, at least in many parts of Canada, the measure of the interest on money is simply the necessity of the borrower, acted upon by the avariciousness of the lender. The member for London tells us that his constituency is in favour of the law as it stands, and has received much benefit from it—that the Londoners can get as much money as they want at 12 to 15 per cent, pay their interest regularly, and are altogether a happy and flourishing community. I am sure my friend believes the representations he makes, but I am half afraid he has not collected the opinions of his constituents. He laid some stress upon the fact of so few petitions having been presented, but the remark has little force, for people have no idea of petitioning about evils which are obvious to everybody. The member for Lambton told us of instances where money has been brought from England, and invested in Canada at from 10 to 15 per cent., but the sums he mentioned are not equal to a single week's discount of the Bank of Upper Canada, and could, therefore, have no influence. Moreover, our people would be better off without money at rates which they cannot afford to pay, or which absorb the entire products of their industry, and English Capitalists will soon tire of lending money to a people who are mad enough to pay a rate of interest which, in the nature of things, they cannot afford. With regard to the bill in the form submitted by my friend from Welland, I think it susceptible of great improvement, and am quite prepared to make the necessary alterations in Committee, at present merely contending for the necessity and wisdom of its leading principle, namely, the establishment of a fixed rate of interest. In my judgment the sum of the whole matter may be comprehended in a very few words. It is the duty of the legislature to protect men from spoliation, whether attempted in the guise of robbery or of usury, and it is its duty to keep the standard of all values, and medium of all exchanges fixed and unvarying, and it is its duty moreover to correct all legislation which experience proves to be injurious. Now, this debate has proved that the rate of interest fluctuates

according to the cupidity of lenders and the necessities of borrowers between 12 and 50 per cent. per annum, while all experience shows that no ordinary business will allow more than 7 per cent. to be paid. If the present state of things continues, therefore, the inevitable result will be the ruin of a large class of our fellow subjects, and the utter prostration of all industrial enterprise, and all this for the benefit of a tribe of men who have no claims whatever to a legislative monopoly of the profits of the labour of the country, and I trust that the vote of the House on this question will show that members are actuated solely by the desire to promote the interests of the people, and that their judgments are swayed only by incontrovertible facts, and the deductions logically consequent thereupon.

Mr. J. B. ROBINSON said he was opposed to this perpetual tinkering with our monetary institutions. Last year no one was more ardent for an unlimited rate of interest than the Hon. member for Welland. This ought to be a warning to Hon. gentlemen of the utter folly of hasty Legislation. As far as his experience went, the law of last year had had a beneficial effect. Many thousands of pounds had been brought into the country, and loaned at a reasonable rate. He was, therefore, unwilling at present, to go the length of the Hon. member for Welland.

Hon. Mr. HARCOURT was in favor of the bill.

Hon. Attorney General CARTIER said, it had been remarked by one of the preceding speakers that hasty legislation was at all times to be avoided. That was perfectly true, and the remark was particularly applicable to the subject now under debate. Therefore, it would be well that the discussion on the subject should not close this evening. Not but that he was quite ready to express his views. It was well known to every member of the House that he was one of the very few Lower Canadian members who supported the legislation of 1858. Much had been said of the evil consequences of that measure, and it was represented that the distress now prevailing among the farmers of Upper Canada was to a great extent attributable to that law. How this was, he could not, of course, say of his own personal knowledge. But he must say he very much doubted the accuracy of this representation. For it must be remembered that, before the passing of that law, the law then in existence—the Act of 1853—practically abolished the Usury Law. They had not heard of the prevalence of much distress between 1853 and 1858 in consequence of that law. That law, as they were all aware, imposed penalties on the money holder, who exacted more than six per cent. Yet they had not heard of more than two or three such in Lower Canada, and an equal number perhaps in Upper Canada, for the recovery of penalties. It was said that a great deal of difficulty existed in Upper Canada, the debtor not being able to meet his liabilities. But this might not be entirely owing

to the law of 1853. It was well known that during two years Upper Canada had to contend against the losses attendant upon bad crops—losses which were peculiarly felt by the farming classes, which had to plunge into indebtedness in order to carry on their operations. In Lower Canada—and in saying this he did not mean to cast any reflection upon Upper Canada in the slightest degree—the same distress was not felt as was felt in the other branch of the Province. Nor could it be said that Lower Canada had any thing to do with giving to Upper Canada the law which the present motion was framed to repeal. Nay, the very gentlemen who now spoke against the existing law were the very men who were instrumental in bringing it into the House, and passing it by their votes. The Bill in question was passed by a vote of 47 to 23, and of the minority all but one were Lower Canadians—while in the majority were to be found the names of Hon. gentlemen who then voted for the measure—but who now wanted to repeal it. The Bill of 1853 was not a measure of the Government. The Government wanted to introduce into this Province the laws which obtained in England relative to Usury. But the Upper Canada members said—no. They said that Upper Canada wanted money, and that, to enable her to get it, the Bill must be passed. In Lower Canada the general feeling was not to have the Usury laws abolished, and accordingly the measure was framed so as to apply to Upper Canada only. Yet now this very same law was assailed by members from Upper Canada only. It was his opinion, and the opinion of his colleagues, that the law of 1853 had not yet had a fair trial. (Hear, hear.) As members of the Government they thought that the law, as it at present stood, ought to remain some time longer in order that it might be tried under more favorable circumstances than it had been as yet. It was absurd for the Honorable gentlemen to condemn the present law as a bad one—because, during the unexpected panic which followed the failure of two successive crops, it did not produce those effects which it was expected to produce only under favorable circumstances. The law of 1853 had not yet a fair trial. The effects which were attributed to it, were not, he was convinced, so much to be attributed to it as to the old law of 1853—and under all the circumstances, he thought that the country could afford to give the present law a longer trial. (Hear, hear.) With regard to the registration laws of Lower Canada, it was not, he felt convinced, the time to discuss them now. But in a short time, he hoped, that such an opportunity would be given. (Hear, hear.) There was no doubt, that, at present, a great deal of difficulty existed, which entailed a dreadful state of things for Lower Canada. (Hear, hear.) He hoped, however, that a remedy would soon be applied. (Hear, hear.) But to return to the present measure before the House, he hoped that it would not be discussed in too hasty a manner. It was one of those measures which especially should not be the subject of hasty Legislation. He was

prepared himself to go on with the debate—but he would suggest that perhaps, at the present late hour, it would be better to postpone the discussion to another time. (Cries of “go on,” and “adjourn.”)

Mr. TURCOTTE moved the adjournment of the debate till Thursday, upon which the House divided and the motion was carried.

The House then adjourned.

LEGISLATIVE COUNCIL.

[ERRATUM]

[Several errors crept into our report of Friday's proceedings, in the Legislative Council. The following is important, and should be corrected. The Hon. Mr. Vankoughnet was made to say that the price of labour, as quoted by Hon. Mr. Alexander at \$10 to \$12 per month in Canada West, was higher than in England; what he said was, that the price of labour was higher than that in England. Hon. Mr. Moore added, “Yes, and in the United States.”]

Quebec, 13th March 1860.

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

ELECTION COMMITTEE.

Hon. Mr. SPEAKER, laid before the House his warrant, appointing, in pursuance of the Act respecting controverted Parliamentary Elections the Hon. Sir Etienne Pascal Taché, the Hon. Pierre Urgel Archaibeault, member for the Electoral Division of Repentigny, the Hon. Ulric Joseph Tessier member for the Electoral Division of Gulf, the Hon. Alexander Campbell, member for the Electoral Division of Cataraqui, the Hon. Harmannus Smith, member for the Electoral Division of Burlington, and the Hon. Adam Ferrie, to be member of the General Committee of Elections for the present Session.

CONSOLIDATED STATUTES.

Hon. Mr. SPEAKER, presented a return of the distribution of the Consolidated Statutes of Canada.

MUNICIPAL RETURNS.

Hon. Mr. SPEAKER, presented the Municipal Returns for Lower Canada as far as received.

ELECTION OF SPEAKER.

Hon. Mr. VANKOUGHNET introduced a Bill to provide for the Election of the Speaker of the Legislative Council. Second reading on Monday next.

Hon. Mr. VANKOUGHNET delivered the following message:

The Governor General transmits for the information of the Honorable the Legislative Council, the accompanying Copy of a Despatch from the Secretary of State, in answer to the Orders of that House to Her Majesty, on the subject of the Election of their Speaker.

GOVERNMENT HOUSE,

Quebec, 5th March, 1860.

Copy No. 29.

DOWNING STREET.
27th August, 1859.

Sir,—

With reference to your Despatch No. 121 of Sept. last, Enclosing an Address from the Legislative Council of Canada to the Crown, praying for permission to have the option to elect their own speaker. I have now to transmit to you an Act passed in the late Session of the Imperial Parliament to enable the Legislature of Canada to deal with the subject.

I have, &c.
NEWCASTLE.

GOVERNOR

SIR EDMUND HEAD, BART.
&c., &c.

COMMITTEE ON PRINTING.

Hon. Mr. VANKOUGHNET, seconded by the Honorable Mr. Knowlton, moved that the Honorable Messrs Simpson, Mills, Murney, Alexander, Campbell, Masson, Archaibeault, Hollis Smith, Armstrong and Panet, be appointed a Committee to act on behalf of this House, a members of a Joint Committee of both Houses, on the subject of the Legislative Printing, and to unite with the members of the Legislative Assembly, named for the same purpose, to the Resolution of which a copy is contained in the message on that subject received from that House on Monday last.—Carried.

Hon. Mr. VANKOUGHNET, seconded by the Hon. Mr. KNOWLTON, moved that the Honorable Messrs Simpson, Mills, Murney, Alexander Campbell, and Hollis Smith, be appointed a Committee, to superintend the printing of this House during the present Session.—Carried.

SAFETY OF STEAMBOAT PASSENGERS.

Hon. COLONEL PRINCE introduced a Bill to make further provision for the safety of passengers by Steamboats. Second reading on Tuesday next.

COMMITTEE ON BANKING.

Hon. Mr. CAMPBELL, seconded by the Hon. Mr. De Blaquière moved that the Honorable Messrs Simpson and Morris, be added to the Select Committee on Banking.—Carried.

MUNICIPAL DEBENTURES RESTRAINT BILL.

Hon. Mr. ALEXANDER, from the Select Committee, to whom was referred the Municipal Debentures Restraint Bill, reported the same with some amendment, which were ordered to be taken into consideration to-morrow.

PUBLIC LANDS MANAGEMENT BILL.

The order for the consideration of the amendment to this Bill made in Committee was continued to Thursday.

RATE OF INTEREST.

The Second Reading of the Bill, introduced by Hon. Col. Prince, to alter the legal rate of interest was continued to Thursday.

BANKRUPT BILL.

Hon. Col. PRINCE enquired whether it was the intention of the Ministry to introduce a Bankruptcy Bill, during the present Session of Parliament?

Hon. Mr. VANKOUGHNET stated that the Attorney-General had moved in the other House for the striking of a large Committee on the subject, which, it was intended, should enquire into the working of the law in England. A report relative to the operation of the law in England had been sent out to this country—but unfortunately it was lost on board the ill-fated *Hungarian*. And, as the Government desired to have all the information on the subject which it was possible to get, additional information had been sent for.

Hon. Mr. CAMPBELL reminded the House that a Committee on Bankruptcy had been struck last Session on a Bill on that subject, which had been introduced. Some four or five hundred copies of this bill had been circulated, by the direction of the Committee, amongst all the prominent banking and mercantile men of the Province, and with the Bill was also sent a circular, asking the person to whom the Bill was sent, to favor the Committee with his views on the subject. However, only two answers were received by the Committee—one from the Board of Trade, of Montreal, and the other from London, in favor of the Bill. It appeared very plainly from this, that the mercantile classes had no desire for the passing of a Bankruptcy Law.

Hon. Mr. ALEXANDER could not agree with the Honorable gentleman. He was sure that in the part of the country he came from, at least, the people desired a Bankrupt Law in the worst way. It was a well known fact that very many persons had already left the Province from the want of such a law to protect them, and he could assure the House, that many more would leave it also, unless such a law was soon passed. He hoped that the Government would bring forward a measure to afford the desired relief.

Hon. Col. PRINCE could not concur in the inference that the people of Upper Canada did not desire a Bankrupt Law, because the merchants, to whom the circulars were sent, did not send back answers demanding it. It was no criterion to judge by that, because the rich seller did not want such a law, that, therefore, it was not needed by the poor buyer. It might be quite evident that the wholesale merchant did not require it; but it was by no means so clear that the poor man did not stand in need of it. In his own opinion, such a law was necessary; it was evidently called for, and unless it were granted, Hon. gentlemen would soon hear poor, honest, worthy debtors knocking at the very doors of the House, and demanding the relief which they were entitled to. The Government,

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Quebec, March 13, 1860.

BANKRUPT BILL.

(Concluded from our last No.)

he thought, should not wait for any thing. A Bill could be framed to meet the present emergency, and passed without delay—and if it were not done, the Government would be greatly to blame.

Hon. Mr. MORRIS drew attention to the significant fact, that while there was no petition against a Bankrupt Law, there were hundreds in favor of it.

Hon. Mr. FERRIER advocated caution, and condemned hasty legislation on the subject.

Hon. Mr. SIMPSON said a great deal had been said about protecting the poor debtor, but he would like to see the poor creditor protected too. He advocated the assimilation of our Bankrupt Law to that of Lower Canada, where an equal distribution of the debtor's effects among all the creditors was the rule; and hoped that some temporary measure would be passed, which would meet the present wants of the community.

Hon. Mr. CAMPBELL thought that such a Bill should be passed in accordance with the wishes of the mercantile community. It was his opinion that the views expressed in the newspapers in the Province, did not represent the feelings of the mercantile class—but only of the unfortunate.

Hon. Mr. VANKOUGHNET did not wish to shrink from the responsibility of the Bill, but it was one of those measures which required enquiry, and it was not easy to collect such facts as were requisite, in carrying out that enquiry. He hoped, however, that the large Committee which had been struck in the other House on the subject, would be able to suggest such a remedy as would meet with the wishes of the House.

The subject then dropped.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Tuesday, March 13, 1860.

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

BILLS INTRODUCED AND READ THE FIRST TIME.

BILL to extend the limits of the City of Quebec.—Mr. Langevin.

BILL to Incorporate the Drummond and Arthabaska Railway Company.—Mr. Dunkin.

BILL to Consolidate the Debt of the County of Middlesex.—Mr. A. P. Macdonald.

BILL to Incorporate the Montreal and Champlain Steamboat Company, known as the Ligne du Peuple.—Major Campbell.

BILL to extend the period allowed to the Montreal Telegraph Company for extending their line to the Atlantic coast, and across the Atlantic.—Mr. Whitney.

BILL to Incorporate the St. George's Society in Montreal.—Mr. Dunkin.

BILL to Incorporate the Annuity and Guarantee Fund Society of the Bank of Montreal.—Mr. Dunkin.

BILL to Annex the Municipality of Notre-Dame du Portage to the Municipality of Tomiscéuata.—Mr. Chapais.

MUNICIPAL SYSTEM—L. C.

Hon. Mr. CARTIER, in moving the second reading of his Bill to consolidate the law relating to Municipalities and Roads in Lower Canada, remarked that he did not intend to review the Bill at length, as it had been explained to Hon. members last year, and as they had also had the opportunity of studying its provisions during the recess. The measure as it now stood, had, however, an advantage it had not previously possessed—it was not only a consolidation of the laws in force previous to last session, but also of those which had been passed last year, among which was the bill of the Hon. member for Vaudreuil. It was, therefore, a complete municipal code. There was, however, no doubt that the Bill, although presented in a much improved

form, could be considerably ameliorated by the Committee to whom he proposed to refer it, as well as the suggestions concerning it, he had received from various sources. (Hear.) He would now repeat what he had observed on a previous occasion, that the municipal system was working well in Lower Canada. Lower Canada had been reproached with being incapable of governing itself, of being unfit for a municipal system. He denied this. Lower Canada had, indeed, begun to adopt the system several years later than Upper Canada, but in a few years Upper Canadians would not be able to boast that they worked the municipal system better than Lower Canadians. (Hear.) The Municipal System was intimately connected with the many Lower Canadian Institutions. It was bound up with their school system, and with their judicial system, in both of which great progress had of late years been made. Certainly he would not recommend to the Committee the suggestions made to him by certain individuals, that the municipal system should be abolished. Those persons must have shut their eyes to the fact of the progress of the country, to the advantages Lower Canada was deriving from the Municipal Law. It had been urged that Municipal Councils, in certain localities, had abused the powers which the law gave them. The people had in their own hands, the remedy for such a state of things—the electors could, at the annual elections, turn out those Councillors who had abused their confidence. He would move, seconded by the Hon. Atty. Gen. West, that the Bill be read a second time.

The Bill was then read, and, on motion of Atty. Gen. Cartier, referred to a Select Committee, composed of the Hon. Messrs. *Drummond, Sicotte and Lemieux*, and of Messrs. *Turcotte, D. Ross, Laberge, Gill, Lacoste, Chapais, Desaulniers, Jobin, Dunkin, Archambeault, Coultre, Dufresne, Ferras, Pope, Bureau, LeBoutillier, Piché, Cimon, Somerville, Webb, Tassé*, and the mover.

POSTAL SUBSIDY TO CANADIAN STEAMERS.

Hon. Mr. SYDNEY SMITH, in moving the second reading of his bill, said he wished to reply to certain observations made by various Hon. members, when the House was in committee upon the resolutions he had submitted. One objection was that he had made a proposition to the American Government which had been accepted, that he ought, in fact, to have made an offer which would not have been acceded to! The picture taken by the Hon. member for North York was this, that in the arrangement made with the Post Office authorities, he (Mr. Smith) had given away everything on the part of Canada, and received nothing in return. Now Hon. members should inform themselves of the facts, and the facts were these. In January last the Canadian Ships were receiving a sum of £25,000 from the American Government. If Canada, therefore, had given away any thing, she was receiving a sufficiency in return. He might go further, and tell the House that, as long ago as

1858, a proposition had been made through the British Government that the United States letters should be carried at the same rate that the Canadian letters were, viz., 6d sterling; a penny being reckoned as the inland Canadian rate. That would, of course, reduce the sea postage to 4d sterling. He would inform the House that this proposition had been rejected—the United States Government had refused to employ the Canadian ships at all. By the present arrangement, however, our ships carried the United States correspondence at the rate of 8d, and against that they only gave up the inland rate, say 1d. In fact, we got nearly double the rate formerly refused. Did this shew that the Government had given up Canadian rights? Did this shew that they had been neglectful of Canadian interests? Some people were difficult to please; they found fault if you did not do right, and they found fault if you would not do wrong. Such people he did not wish to please. It was objected by some members that the arrangements with the United States did not allow us to send letters by the Cunard Steamers without paying the inland rates of three cents. Well he had made a proposition to that Government to relinquish that rate, but it was refused, and as we send but few letters that way, he did not think the refusal a sufficient reason for breaking off the negotiations upon other points. Then the relinquishment of that charge would probably have had the effect of increasing the correspondence by the Cunard Line as against the Canadian Steamers, and he had no desire to do this. It had been objected that in his previous speech he had not given the name of a gentleman who should have shared most of the credit of the arrangements made, well this was an unintentional omission which he would now take care to remedy, and he would therefore say that neither the public-service of this country nor probably that of any country could boast of an officer of greater ability, zeal and fidelity than the Deputy Postmaster General, Mr. Griffin, whose services were invaluable to the Province. He was happy here to recognize his services in the arrangements made, and to accord him the principal merit, he (Smith) taking the second place. The Hon. member for Waterloo had asked what would be the consequence if the foreign nations whose mails we carried, undertook to reduce the Ocean rates. Well, he would answer that they would not be able to do it without our consent, and to prove this he need merely say that the Government of the United States had been three years negotiating with that of Great Britain, with the view of accomplishing a similar object, and that they had abandoned the idea. The Postal authorities in England had persistently refused to connect, and the Postmaster of the United States in alluding to this in his report, says that the reasons for the refusal were unsatisfactory, that it was useless attempting to proceed further. It was urged again that the correspondence with the Imperial authorities was not dignified or creditable to Canada. Well

he had never been afraid or ashamed of speaking the truth, and the result of the negotiations showed that he had taken a proper course, for what had been peremptorily refused at first was afterwards granted. It had also been urged that a letter he had addressed to the Postmaster General of the United States had not been answered, but by looking at pages 19 and 20, it would be found that the proposition contained in that letter had been acquiesced in. By that arrangement we would get the Boston mails and those of the adjacent States, which would, at least, be equal to the Western mails,—for those States were largely engaged in manufactures and commerce, and had relations abroad which occasioned a very large correspondence. He had been charged, too, by an Hon. member, with the instrumental cause of the loss of the *Indian* and the *Hungarian*. Now, with respect to the *Indian*, that vessel was on the homeward voyage when the negotiations which related to the carrying of the American mails were commenced, and it was impossible for a soul on board to know anything about them when she was wrecked. As to the *Hungarian*, she was at sea when the letter relating to speed was written, and, of course, it could not affect her in the least. These charges were proofs of the extraordinary malevolence which party spirit would employ to damage, if possible, an adversary, and it was impossible to assign a limit which it would not pass. The letter in which the Postmaster General of the United States stipulated for speed, was dated the 18th February, and he agreed with him that the question of speed was that which decided the superiority of route. It was imperative that we should have speedy vessels, if we meant to keep up in the race, and speed was not inconsistent with safety. The sooner a vessel arrived in port, the sooner she was out of danger, and if she travelled at the rate of 20 miles an hour through a storm, she would be out of it in half the time it would take a vessel that went at the rate of 10 miles. The Company were prepared to build larger and speedier ships, and with increased size there would be increased safety. By the proposed arrangement, the voyage from England to the Straits of Belle-Isle, would be made in six days, and, with proper care, we shall have the very best and most efficient line, for it could not be too well known that, not only from Quebec to Belle-Isle, but from Belle-Isle to the North of Ireland, by the northern sailing circle, the water was smoother than further South. He had this important information from the commanders of several steamships, and it was only necessary to have it widely circulated, in order to create a preference for our vessels. Last summer, when the *Persia* made a voyage of 17 days, our own steamer came out in 10 days. He was happy to say that within 24 hours, he had had communication with gentlemen who were before opposed to the increased subsidy, but who after reading the correspondence—which he feared many who opposed it had not read—stated they were now convinced that the arrangements would advance

the interests of the country. As to the telegraph line, it had been objected that the contract should be made under the force of law with the Montreal Company, but this was an error in the first draft of the bill, for the Government would reserve to itself the right, as it would bear the responsibility of making the arrangement with that Company, or with such other persons they might find it most advantageous to deal with.

Mr. McGEE was glad to observe that the Hon. Postmaster General had adopted a much more moderate tone in speaking of the advantages to be derived from the new postal arrangements, and it was a tone much more in accordance with the facts of the case. The Hon. gentleman had expressed a doubt whether Hon. members generally had taken the trouble to read the documents laid before them. He (Mr. McGee) would only say that he had read them through and through, and any gentleman who would do the same, must come to the conclusion that the whole scheme was one of the greatest humbugs ever presented to the House. (Hear, hear.) He would repeat, in contradiction of the Hon. Postmaster General, that England and the United States could at any time reduce the rate of sea postage without consulting Canada. Canada was not a sovereign power, and could neither hasten nor delay negotiations, even though they were of the greatest importance to her. All Canada could do in such a case, would be to throw up her contract and refuse to carry letters at so low a rate as they might choose to fix. A simple understanding between England and the United States would, at any time, entirely overthrow our whole magnificent scheme, and we should not have a word to say about it. The whole scheme depended upon the high rate of postage being permanent, and Canada could do nothing to make it so. The Hon. Postmaster General had proved the *Indian* to have been lost before the writing of that letter to Washington, and the *Hungarian* also to have left Liverpool before the letter was received, and would so escape the imputation of having been instrumental in causing their loss. But, had he not from his first letter, on 31st October, 1859, based his whole proposition on the high rate of speed obtained by this line? And, to maintain the credit of the line, he undoubtedly took every means to maintain the same high speed of which he had previously boasted. In his desire to be a thorough American, in regarding speed before everything else, even before human life, he had unquestionably been auxiliary to those deplorable accidents. In regard to the proposed subsidy, he (Mr. McGee) found that it was to be voted for the past as well as for the future; it was to commence from May 1859—nearly a year ago. That hundred thousand a-year had been spoken of as a very trifling sum, but he considered it quite as much for Canada, with her limited resources, as the large subsidy paid the Cunard Line was to England, with her vast and almost unlimited resources. (Hear, hear.) But he acknowledged the great importance of this line of steamers, but

he thought the reputation of the line for safety was, at least, of equal importance with its reputation for speed. The line was to be patronised by Canadians, and it was absolutely necessary that Canadians should have confidence in the management and safety of the vessels. The Cunard Line had not lost a single life in twenty years; this was due to thorough organization and careful management. The Admiralty superintended the construction of the vessels, and placed an officer on every ship to see that both the letter and the spirit of the contract were fulfilled. He (Mr. McGee) would cordially vote for a subsidy were it indispensable, but he protested against this dangerous and disreputable gambling in mail-bags. Before the Bill received its third reading he should move an amendment, that it should be ascertained whether one of the two vessels about to be built, could not be constructed on the St. Lawrence, that a portion of the subsidy might fall into the hands of our own unemployed shipwrights. He believed the work could be done as well and as cheaply in Canada as in any part of the world. (Hear, hear.)

Hon. Mr. BROWN said, the Hon. gentleman who proposed the subsidy had not been able to prove that the £104,000 would be sufficient for the purpose, and as it was to date back a year, he thought they ought not to have been asked to vote for the Bill.

Hon. POSTMASTER GENERAL would explain. In May, 1859, the Company had declared the line could not be continued without assistance, and it had been promised them by the Government.

Hon. Mr. BROWN said, that only made the case worse and worse. The Government had pledged itself to assist the Company, and relied upon the subserviency of the House to support them in whatever they promised. (Hear, Hear.) Such was the unfortunate state of things, that a private bargain was entered into by Hon. gentlemen on the Treasury Benches, and it was presumed the House would agree to it as a matter of course. If report were true, Mr. Baby had been commissioned to buy up old boats, to run a line on the St. Lawrence, and the Government was going into the steamboat business—(Laughter)—and it was said that the Hon. Postmaster General was to be Commodore. (Laughter.) At all events, it was evident the Government could make contracts and calculate upon the House to endorse them. Was there no independence left? Was there no moral courage left to resist such treatment? It was not that what was done, was necessarily wrong, but it was that the Government had done it of themselves, without the knowledge or consent of the House. The course of the Government was really startling. He could conceive nothing more demoralising or more ruinous to the finances of the country than such a state of things. He would like to see the Home Government taking such a course, and then asking the House of Commons to endorse it.

Hon. Attorney General MACDONALD—How about the Cunard and Galway contracts?

Hon. Mr. SICOTTE—Those are not good precedents.

Hon. Mr. BROWN—The British Government were in the habit of exercising greater power than was known to our Legislature. There was, perhaps, nothing contrary to the ordinary practice in England, in the adoption of such a course. But the distinction which he wished to point out did not seem to be understood. Supposing the Postmaster General of England made a contract and obtained the sanction of the Imperial Parliament to it, would it be tolerated, should he, the very next day, make an entirely new arrangement? Certainly not; it would be rejected with indignation. They would not find the Government retreating upon their supporters when asked for a Committee of Enquiry. As in the case of the Cunard and Galway contracts, a Committee would be granted at once. But in this country, the Government would not only not allow special contracts to be enquired into, but they would not allow gentlemen to go on to Committees whom they thought would make inquiries into matters. (Hear, hear, and laughter.)

Hon. Attorney General CARTIER—Every member of the House has a right to go into Committee rooms and suggest questions there.

Hon. Mr. BROWN—This was the very first time that politics and party feeling had been mixed up with this question.

Hon. Mr. GALT—And how is that?

Hon. Mr. BROWN—The supporters of the Government, who had confidence in them, were in a very different position from those on this side of the House who had no confidence in them. (Hear.) They had found the calculations of the Government so often erroneous that it was absurd to expect them to take all that they stated for granted. It was a very different thing to hear direct evidence on cross-examination, than direct evidence alone, and nothing would have afforded him more satisfaction than that to have cross-examined the Postmaster General in reference to his statements. (A laugh.)

Mr. W. F. POWELL said, for once in his life he could agree with the Hon. member for Toronto. It did really seem absurd that the House should be expected to abrogate its functions. The fact of the Government taking upon itself to promise to pay the company the additional subsidy retrospectively, was the assumption of a power which was totally unwarranted. For his own part he was inclined to take a great deal of what the Government said on trust, but he could not say that he was altogether satisfied with the evidence laid before them by the Postmaster General. (Hear, hear.) One of the letters laid before the House showed that the correspondence was opened in the month of February, 1859, while the House was actually in Session. Why was the House not then consulted? He had to say in conclusion that when even any one would make a motion to do away with that clause of the Bill which provided for the payment from the first of May, he would vote for it. He was sorry he had misunderstood the true

nature of the motion made by the Hon. Member for Toronto, or else he would have voted for it : but he was misled as to it, by the speed made by the Hon. member from North Oxford, who had turned the question into a mere sectional matter, as to Upper and Lower Canada, and he (Mr. Powell) always had, and always would oppose any enquiry prompted by such a spirit.

Mr. McDUGALL assured the Hon. gentleman that he was misinformed as regards the sentiments which he had put into his (Mr. McDougall's) mouth. He never wished to make it appear that Upper Canada had not an interest in the Canadian line of steamers. All he wanted to say on the occasion referred to was that Upper Canada would have to contribute more money to the undertaking than Lower Canada. (Cries, of "no, no.") He believed that Upper Canada had a greater interest in the undertaking than Lower Canada, inasmuch as she both imported and exported more goods than Lower Canada.

Hon. Mr. SICOTTE was glad to see his Hon. friend disposed to admit his error, for, most undoubtedly, on the occasion referred to, the Hon. gentleman had made use of words to the effect that Upper Canada had no interest in the undertaking. For his own part he was opposed to the unlicensed spending of the public money without the public consent. (Hear, hear.) But, at the same time, he was, in this instance, disposed to wait for the information which it was desirable to get, though, at the same time, he must say that he was not opposed to going into Committee. It was his intention, when the House was in Committee, to propose such amendments to the Bill as would render the contract more definite and strict—points in which it was, at present, defective. Some provision ought to have been made to secure steamers of a superior build, strong and swift. These matters ought all to be provided for by the House, and not left to the mere supervision of a member of the Government, who might, perhaps, be on the opposite side of the House to-morrow, and his place filled by another who would not stand in the same relation to the company.

Hon. Mr. CAMERON would not deny that there were works of such a gigantic nature that, without the aid of Government, it would be impossible to carry them on. When the subsidy was first voted to support the line of steamers, it was understood to be only temporary ; but it was now sought to increase the subsidy to their monopoly, and, in his opinion, a more inauspicious moment could not be chosen to increase the subsidy than the present. The enquiry, in his opinion, ought not to have been refused. It was believed that the steamers of the line had not been constructed as they ought to have been, and that that was the reason which led to the last disaster. And, consequently, the public were anxious that a rigid investigation should take place into the management and construction of those vessels. They wanted to see that the chronometers were all right, and that the machinery and every part of the steamer,

chains, and helm, and masts, were equal to those of the Cunard Line. All these enquiries should have been made before the House was called upon to vote a subsidy. It was when he considered the manner in which the Government refused all enquiry that he went in for constitutional changes, changes of such a description that the Government would be unable to contract any debt without the consent of the people. It was the general impression that the Company sustained very little loss in the steamers that were wrecked, and yet they now wanted an increased subsidy. He contended again, therefore, that enquiry should have been granted, in order that the public might see how the matter really stood.

Mr. JOHN CAMERON could not consent to give a silent vote on this subject without saying a few words. (Loud laughter.) There was a strong feeling in favor of the Scheme in Upper Canada, but, at the same time, he thought that the enquiry spoken of should have been granted, and that the Government should give the public every facility to investigate the working of the line in the fullest degree.

Hon. Mr. CAUCHON condemned that principle which led Hon. gentlemen to advocate constitutional changes when they found themselves beaten in any measure. This principle seemed to be universal, and not confined to any particular instance. The senior member from Toronto had erred in this manner. He had spoken of violence being done to the Constitution—but he (Mr. C.) denied that violence had been done to the Constitution. It was for the people to say whether the Constitution would be changed or not. It was not left to the senior member from Toronto, or any one else, to change it. The gentleman, it was evident, was afraid to say in the House what he said out of it. In the *Globe*, for instance, he spoke of the measure as a bad one, and yet he would not stand up in his place and say as much. But to turn to the subsidy. Was the subsidy too high, in comparison with the amounts paid to other lines. And another point was, were the boats built to be as large as the Cunarders,—for, were they not, the competition would soon cease. He thought the Government should exact a promise that the ships to be built should be as large. The Minister of Finance said the country could afford to pay the increased subsidy, and he (Mr. Cauchon) would not vote against him, for Finance Ministers ought to understand the financial situation of the country best. He would vote against a Committee to be formed before the passage of the bill, though he would vote in favor of enquiry afterwards. This was the way the British precedents pointed out. The Government made the contracts—the House had notified them—and it was only afterwards that investigation had shown contracts to be fraudulent, when they were cancelled.

Mr. A. P. MACDONALD wished the new contracts to date from the passing of the bill, or, at most, from January 1860.

Hon. Mr. DORION thought it a most unfortunate thing that the Committee had been refused, the other night, for it placed some Hon. members in an unfortunate position—it placed them in the light of voting against an enterprise which they really wished to encourage. He had some doubt whether the sum proposed to be given were not too high, but he had none at all that the new contract ought not to date back to the period proposed.

Hon. Mr. CAUCHON—You said the other night, you would vote against the bill because the steamers were not to go to Montreal.

Hon. Mr. DORION had said nothing of the kind—he thought, however, that there ought to be a clause in the contract, compelling the vessels to come up to Montreal, for, or from which place nine-tenths of the freight, outwards and inwards, was shipped.

When the SPEAKER called the House to order after the recess, there was a delay of a few minutes, as Hon. Mr. Dorion, who had the floor, was not in his seat.

Hon. Atty.-Gen. CARTIER said the Government was not to blame for the present delay.

Hon. Mr. FOLEY said the remark of his Hon. friend indicated a consciousness that the Government generally were to blame. [Laughter.] He (Mr. Foley) had been noting the great variety of reasons given by Hon. gentlemen why they were inclined to believe with that side of the House, though previously disposed to vote on the Government side. The Hon. member for Carleton would have voted for the Committee of enquiry the other night, had not some invidious comparison been made between Upper and Lower Canada. The reason why the Hon. member for Victoria, though desiring an enquiry had voted against it, was that he could not give a silent vote without making a few remarks. [Laughter.] There might be something in his vote, but there was nothing in his remarks. The reason of his Hon. friend from Middlesex was a weighty one; he would have voted freely for a subsidy if it had been for seven years, but he could not possibly think of voting for a subsidy that was actually to run a whole year longer—for eight years. [Laughter.] The reason of the Hon. member for Montmorenci was very little better. When the resolutions were first introduced by the Hon. Postmaster General, he [Mr. Foley] was disposed to vote for any reasonable amount if it could be shewn to be necessary: but though the debate had continued two or three days, he had not had the evidence he required. It had been fully shewn, on the contrary, by gentlemen on his side of the House, that there was no absolute necessity for the amount named. He wished it to be understood that he did not consider this a question between Upper and Lower Canada. Both would profit by the line, and perhaps the West even more than the East. (Hear, hear.) In the appropriation of sums of money for the Province he cared not in what section of the country it was spent. In the establishment of this line of steamers, support was expected not from Canada only but also from the Western States. It was

not because the vessels would be in certain ports—at Quebec, or at Montréal, or at Toronto—that he would grant or withhold his support. (Hear, hear,) for he was not influenced by sectional feeling. But he must repeat that he wanted information and could not see why it should be withheld.

Hon. Atty. Gen. CARTIER said nothing had been withheld.

Hon. Mr. FOLEY said the information asked for certainly had not been given. There was one point in the attack made on the Hon. Postmaster General with which he did not coincide, though on other points he thought he richly merited what he had received. That particular point was regarding his sustenance of Canadian rights. He agreed with the Hon. Postmaster General that Canada had the right to make her own postal arrangements, and that Great Britain had no more right to interfere in that than in any of our other local affairs. We should have entire control and management of our own concerns. In that particular the Hon. Postmaster General had done his duty, and he was glad to accord him all the praise that was due.

Mr. GOWAN was much gratified to find the House so unanimous on the question at issue. He believed not one member had been altogether opposed to the subsidy, and all were in favor of continuing the line at any cost. He thought, however, the course taken by the Imperial Government in granting a Committee to inquire into subsidies generally, would have been a sufficient justification to the Ministry here, for allowing the Committee asked for by the Opposition. Still, he must say, whatever might be the amount of the subsidy required to sustain the line they were bound to give it. They would not otherwise be doing their duty to the country. On the Canadian line—the great high-road to Europe—depended in a great measure the prosperity of the country. It would be the means, if well maintained, of filling up the backwoods with an industrious body of people, and driving away the herds of bears and wolves, which were at present the only occupants of them.

Hon. Mr. GALT said it was perfectly true, as had been remarked by the last speaker, that the whole House was unanimous in the desire to maintain the line, but, unfortunately, if the course advocated by the Opposition were to be carried out, the effect would be very different. It would have the effect of defeating the measure which they professed it was their desire to see carried. The Hon. member for Toronto admitted that the Government were perfectly right in coming down with the scheme. Yet, strange to say, he immediately turned round and told the Government that they ought to grant a Committee, for the purpose of inquiring whether they were right, or whether they were wrong.

Hon. Mr. BROWN—I said you were right as to your course at the outset.

Hon. Mr. GALT—The Hon. gentleman said they were right in ascertaining the amount of subsidy required, and in bringing the matter before the House, but in the same breath he

said they ought to appoint a Committee for the purpose of inquiring whether the information of the Government was right or wrong. Now supposing the Government had come down and said that they were not sufficiently assured of the accuracy of their information, and thrown on the House the task of ascertaining the facts and initiating the course to be taken, what would the Hon. gentleman then have said? Would he not most indignantly have accused the Government of a desire to evade the responsibility attaching to them, and have taken a course the very opposite of that which he had formed on this occasion? Most certainly he would, and rightly so, too; for he conceived this was a position which no Government had a right to take. Under our system of responsible Government, the Government was bound to take the responsibility of what was purely their Executive Acts. If the Government shirked this responsibility, or if the country did not approve of the schemes or measures of the Government, then the proper course for the House to take was, to turn the Executive out. The Government was not to be reproached for taking the responsibility of its position—they were not to be reproached because they frankly told the House they had examined into the question and were satisfied of the correctness of their information—they were not to be censured because they called upon the House to support them in sustaining what was truly a Canadian enterprise. No one questioned for a moment that the line could not be sustained without aid. The only ground, therefore, on which a Committee was asked for, was to investigate points of detail. No doubt, a Committee could properly enough enquire into these. But such an investigation would not touch the great question whether the line was to be sustained or not. It was absolutely necessary there should be no hesitation in the course to be taken. Powerful influence were at work in opposition to them—both political and money influences—and it was perfectly clear that, if the Legislature of this country did not take a determined course, they would have little chance of success in the face of these influences. The way had been much smoothened by the advantageous postal arrangements which had been made by his Hon. Colleague the Postmaster General. The amount of postage represented by the mails, not merely from the United States, but from France, Prussia, and Belgium, as well as the United Kingdom, was, he thought, sufficient to justify the Government in the position they had taken to maintain this line in its integrity. A line like ours was not to be hastily abandoned. For others could not speedily step into the shoes of those who had been ruined by the enterprise, and the fact would go forth to the world that the St. Lawrence route had been tried and found wanting (Hear.) He put it to Hon. members whether they were prepared to say this—were they prepared to assert that the St. Lawrence was the wrong route, that the energies and resources of the Province had been exhausted upon it, and

that just as we had persuaded the nations to give us their correspondence, we were willing to clasp our hands in silence and let the line go down. (Hear, hear.) He believed the country would not say so—he believed the country was almost unanimous in saying the line must be sustained. (Hear.) The ministry had taken the responsibility of recommending the course they now proposed, and he believed it would be gladly shared by every man in the Province. (Hear.) The Government thought they were proposing to the House to do what the House would be perfectly willing to do, for, looking either to the Press or to the sentiments uttered at public meetings, they did not find a single expression of hostility to the enterprise made use of. (Hear.) Now suppose the Government had taken the course some Hon. gentleman seemed to desire, and suppose, after considering the matter, they had allowed the line to go down even for one month, the effect would have been to destroy, at once, all those arrangements for the carriage of the mails lately concluded, to damage, irretrievably, our position before the British Government, our position before the House of Commons, in relation to the Imperial subsidies to lines plying to Boston or New York. (Hear.) Were we now—when a few months would bring the solution of the question—to waive all our claims to justice? Must the line go down, without applying to it even those resources which the negotiations of the Hon. Postmaster General had, as it were, created? (No! No!) A good deal had been said with reference to what is called “dating the contract back.” He was glad an opportunity had been afforded him of setting the House right on the subject. The papers, he thought, shewed sufficiently what the intention of the Government was, but he would have much pleasure in stating it over again. The Government formed the intention of recommending to the House to apply the amount of postage accrued, up to the time of granting the increased subsidy, to assist in liquidating the losses the contractors said they had sustained. Strict investigation had assured the Government that these statements were correct, and they made an Order in Council, in their executive responsibility of the nature stated. Although the Government asked to make the new contract date back as far as May last, it was not the intention of the Government to pay the contractors 104,000*l* from that day, if the postages did not realize that sum, nor more than that amount if they did. The amount of postage was not ascertained, yet, and unless the Government had taken the course they had, two sets of resolutions and two bills would have had to be submitted to the House.

Hon. Mr. SICOTTE—The Hon. Postmaster General stated that the amount received from May last would more than cover the subsidy.

Hon. Mr. BROWN—And the Postmaster General said no postage would be given to the contractors unless the House sanctioned the arrangement. Advances had indeed been made, conditionally, but the Government had taken

security—security on the line, to cover the full amount. The Government had acted. They stood by their action. They came down to the House to sanction it, and, although there had been more opposition than they had expected, they feel confident their course would be sustained, both in and out of Parliament. The Hon. member had said they never expected to give a 6d of the money.

Hon. Mr. GALT.—Except the postage.

Hon. Mr. BROWN read from the bill which said that the \$8,000 per trip were to be given from 1st May last.

Hon. Mr. CARTIER—Yes, precisely.

Dr. CONNOR would like to know when those gentlemen had ever kept within the assigned limits. He objected to the mode of putting the case adopted by Ministers, which represented the Opposition as objecting to the proposed subsidy, with the secret desire of overthrowing the Ocean Line. This, he emphatically denied, and it came very badly from them and their supporters, to refuse the reasonable request for information before the vote was carried. If the Finance Minister had just returned from England, with his fresh laurels, after having saved the country £5,000 or £10,000 a year, he would receive the unmeasured applause of his side of the House, as if a very great thing had been done; but when it was a question of giving away such a trifle as £50,000, it was monstrous that the Opposition should ask upon what grounds it was to be granted. They must, forsooth, receive without question the *ipse dixit* of the Postmaster General, who, of course, brings up whatever statements he choose. The Upper Canada majority represented by him (Connor) and his friends, were treated ungraciously and dishonestly, by refusing the desired information. He wanted to know if there were not other means than those proposed, by which the Line could be sustained, but the question could not be entertained. The matter at issue, however, was no trifle; four years ago, £29,000 was the amount paid, then in two years it jumped to £55,000, and now in two years more it was to be increased to £104,000, but no reason for so rapid an increase could be had. Last year we were told the finances were so bad, that the country was in a very critical state, and rigorous retrenchment was necessary, and if this was true, why was it consented now to add such large sums to the public bonds, without condescending to show the necessity for doing so? Was it fair, before the Minister of Finance had brought down his statement, showing the condition of the exchequer, that he should tell us that we must vote on the mere word of one of his colleagues, so large a sum of money as was demanded. Both were interested in carrying the measure, and that was another reason why enquiry should first take place. It was alleged that a strong necessity existed, that we should show confidence in the Line, but the motion for enquiry was not inconsistent with confidence. Where was the necessity for all this hurry? Let us have first the Public Accounts, and if they

came down, he (Connor) very much feared it would be found that this year's income had not paid the expenditure. Who had told the Ministers that other Companies would not take the contract on more favourable terms than the present Company, and at any rate where was the harm of enquiry. He knew that the Ministry, with the aid of their supporters, could carry their measure, and probably their Upper Canada friends, who knew very well that they did not represent public opinion in that section of the Province, did not much care what was thought of their vote. It was not, however, treating the Upper Canada majority with respect, and he could tell the House that the people at the West, had so learned the value of money during the two last years, that they were opposed to the waste of any sum, however small. But year by year the Ministry spent large sums without authority, and then they came to Parliament and asked indemnity, which they were sure to get. An additional £50,000 was to be given to this business, and, as he understood, some £60,000 more was to be expended in the purchase of Tug Boats. He protested, on behalf of his friends, against this system, and against the refusal of the reasonable demand for enquiry, which they had made before the vote was taken, and he protested further against the false representations, that they were opposed to a proper subsidy, and to the allegation that they desired to stifle Canadian enterprise. If the Company could not proceed with their contract, why had they not given notice?

Hon. POSTMASTER GENERAL—If the Hon. gentleman will persist in refusing to read the correspondence published, of course he must remain ignorant. Notice had been given on 12th February last.

Dr. CONNOR—Where was there evidence in the correspondence, that they could not carry on without an additional subsidy of 50,000*l.* And if notice was given on 12th February last, why had the Postmaster General concealed the fact?

Hon. Mr. GALT—The Hon. member must really read the correspondence. (Laughter.)

Dr. CONNOR—If notice had been given by the Company that they could not proceed, it was only the more important that we should have an enquiry. Nothing could be more unfortunate, or more opposed to the spirit of Responsible Government, than the voting of money in the way proposed. The undertaking seemed to be growing into a most formidable one, and, perhaps, from a subsidy of 100,000*l.* we should soon have to give one of 200,000*l.* (Hear, hear.) Before encouraging the Company to go on to build new boats, he again repeated there should be a rigid investigation into the correctness of all the statements advanced.

Hon. Mr. ROSE—The Hon. gentleman had attacked the Government with extreme violence, and he would now ask him seriously whether he was not aware, before he came to the House, that the Company could not go on with their weekly service without additional aid? Did he

mean to say that it was here he first learned that increased help would be required? He would now prove to the Hon. member, that he, himself, had declared, on the 25th of February last, that unless the Company got a subsidy equal to that paid by England to the Cunard boats, the line would be run off the ocean. (Mr. Rose here read the Resolutions of the 25th February, affirming this, which were passed unanimously by the House.) And now the Hon. member seemed to pretend ignorance of the difficulties the Line had to contend with. The member for Toronto himself, had consented to the fact alleged, and really, it was a most difficult thing to follow these gentlemen in all their sinuosities. He would now ask the House whether they would imperil the success of the Line by refusing the necessary help. He had no doubt that in a short time the Line would be self-sustaining, and that, in fact, it would not cost the country a shilling. Then, through it we should get such a hold upon the people of England, that the Imperial Government would not be able longer to ignore the claims of Canada. So early as 1854, a Committee on Ocean subsidies was formed in the House of Commons, for the purpose of laying down the rules upon which they would be granted, and one of the principal reasons advanced, for aid to the Cunard Line, was, that it constituted the great connecting link with the British North American Colonies, and attention was drawn to the fact, that a line of communication was thereby established between Halifax and Quebec and Montreal. In another place, it was said that this Line, (the Cunard) besides promoting a large foreign trade, brought us into contact with our North American Colonies. Again, was the Province to show its inability to support its own Line, and that, too, at the very moment when the Canadian route was being established? Would it be politic at the present moment, when a Committee of the House of Commons, in England, was discussing the question of subsidies, with a view to their more equal distribution, for the Province to declare its want of confidence in its own Line of steamers, by refusing it a subsidy, and thus peril the chance of the Province receiving anything from the Imperial Government. It would be madness to throw a doubt on the reality of the advantages for which the Province had struggled so long. He would merely add that the English Government were alive to the claims of the Province, as far back as 1856, when remonstrances were made against the continuance of the subsidy to the Cunard Line, at which time new arrangements, on an equitable principle to the Province, were spoken of. And there was no doubt, that the Imperial Government could not forbear to give to the Canadian line the same subsidy that the Galway and Australian lines had already received. Yet, all these would be forfeited, if the House now declared the want of confidence in the Line, and refused the subsidy.

Mr. A. WILSON thought there existed no good grounds on which to refuse the enquiry sought by the House. There were a great many

reasons which could be advanced in favor of such a procedure, while no good ones could be advanced against it. He was astonished to hear the alarming doctrine laid down by the Hon. member for Montmorenci. That Hon. gentleman had stated that not only was it right for the Government to resume any responsibility in cases of emergency—but that the Government was bound to do so. That Hon. gentleman seemed to think that it was all right, as long as the consent of the House was afterwards obtained. He (Mr. W.) hoped that such a dangerous doctrine would not be sanctioned by the House. He also objected to the manner in which the Inspector-General had proposed to raise the fund for this subsidy. That Hon. gentleman proposed to raise it out of the unappropriated funds.—Now he (Mr. W.) would like to know where were those unappropriated funds, that the Hon. gentleman had spoken of. He (Mr. W.) had not yet heard of them, and he would like to know where they were to come from.

Hon. Mr. GALT would like to know if the Hon. gentleman wanted the subsidy to be provided for out of the appropriated funds? (Laughter.)

Hon. Atty. General CARTIER repeated in French what other members of the Government had stated in English. There was this difference between the Galway Line contract, and that as to the Canadian steamers, that, while the former was entered into by the Imperial Government without the sanction of Parliament, the latter was entirely in pursuance of two Acts of the Legislature. The order in Council of 3rd Sept., 1859, distinctly stated that the sanction of the Legislature would be requisite to carry out what was therein stipulated. If the Government had not taken the responsibility of that, the Hon. Postmaster General would not have been able to make arrangements for the conveyance, by our steamers, of French, Prussian, Belgian and United States mails, and the weekly line could have been abandoned as the contractors stipulated. The demand for a Committee to enquire whether this additional subsidy was really needed, was but a hypocritical pretext on the part of the Hon. member for Toronto and others. He (Hon. Atty. General Cartier) was sorry to see there were some Upper Canadian members who seemed to regret that the trade of the Western section of the Province was again returning to its natural channel,—the St. Lawrence,—instead of being forced by the New York route. The contest was now, in fact, between the two routes, and it was not the interest or object of the Cunard line to show that that of the St. Lawrence was the more favourable. He hoped no member from Lower Canada would vote against the second reading of the bill. The Hon. member for Toronto could not pretend that he wanted a Committee, to ascertain what he knew a year ago, what he must have known when the House last Session unanimously voted an address declaring that an additional subsidy was necessary, to enable the Canadian Steamers to compete with those of the Cunard Line.

Hon. Mr. LEMIEUX enquired what the tonnage and horse-power of the new steamers would be.

Hon. Mr. CARTIER said the tonnage of the present Steamers of the line was greater than any of the Cunard vessels, except the *Persia*. The last steamer, *Hungarian*, was 2,250, and the two new boats would be 3,000 tons burthen, and their engines 5,000 horse-power.

The Bill was then read a second time on a division.

Mr. McGEE seconded by Mr. Thibaudan, moved, "That instructions be given to the Committee to ascertain whether it be not possible that the proposed large annual expenditure may be diffused by causing one or more of the new ships, for the Canadian line, to be built in Quebec." The Administration had announced that, as soon as the bill passed the House, they would proceed to contract for two new ships. He took it for granted, those contracts were not yet made, and wished to urge upon the House the propriety and justice of contracting for at least a part of the intended ship-building, in our own country. They talked about encouraging the enterprises of the country, and here was an excellent opportunity to encourage and revive the enterprise of Ship-building in Quebec. There was a large sum or money to be voted, to employ the skill and industry of the Clyde, but patriotism, as well as charity, began at home. In the city of Quebec, there were, at the present time, five thousand skilled mechanics; educated to the trade of ship-building. Ships of over two thousand tons burthen had been constructed at Quebec, and in swiftness, capacity and beauty of finish they were not surpassed in the Old World. He had, from reliable authority, the fact that it was possible to construct the hull of a ship in the St. Lawrence from £3 to £4 10s. cheaper than in the old country. About a year ago a beautiful vessel was constructed in Montreal for parties in Cuba, and though, through some defect in her machinery, she had not been a success, yet there was no doubt that as good, as cheap and as safe a vessel could be built in the St. Lawrence as in any part of North America. He was supposing, of course, that these new ships were to be wooden vessels. He would name all the vessels, but one, of the Cunard line, as wooden vessels. In cases of accident vessels built of wood had proved to be safer than those of iron. Several iron vessels had been wrecked, and all on board had perished; wooden vessels had been wrecked in the same manner and all on board had been saved. (Hear, hear) Vessels sailing to Quebec had one-third of their voyage in sight of land, in danger of the coasts. Now, if a vessel could be built in Quebec, as well as in the Clyde, and cheaper by six or eight thousand pounds; and if the machinery could be furnished by companies in Montreal of equal workmanship, why should the contract be given to the Clyde? All the timber used on the Clyde must come from the St. Lawrence. In Quebec, of five thousand ship-builders, not more

than two thousand were employed, and those at from 15d. to 2s. per day. Worthy, skilled, industrious men—did they deserve no share of this money? Out of their hard earnings, a portion must go towards this large sum, to be voted out of the people's money, and they should not be forgotten. (Hear, hear) We were granting an unconditional subsidy. England granted subsidies on certain conditions. The right to recall the vessels was one condition, in case they were needed in time of war; and that they might be fit for service, the Admiralty superintended the building of the vessels. He would again urge the claims of the ship-wrights of this country. One fine ship, sailing from Canada to Liverpool, would be the best possible advertisement for Canadian ship-builders, and would stimulate a very depressed branch of home industry, and revive once more the declining business of the ship builders of Quebec.

The Hon. POSTMASTER GENERAL said it was utterly impossible to attempt to meet the views of Hon. gentlemen on the Opposition Benches. They made stray professions of a desire for retrenchment, yet they now asked the Government to accede to a motion, the effect of which would be to bring merchants and mechanics from the Clyde, at the cost of thousands of pounds, in order to ascertain facts which were within the cognizance of everybody within the sound of his voice. The Hon. mover of the resolution was unfortunate in all his most important statements, and that being so, all his finely turned periods and arguments fell to the ground. The Hon. gentleman stated that an Admiralty agent was present on board the Cunard steamers, from the time they left Liverpool until they returned to that port again, for the purpose of noting every revolution of the paddles, and such other facts as might be of interest as to speed and the working of the vessel. Now, the Hon. gentleman was singularly misinformed, for such was not the fact. When the line was first started, such officers were stationed on board those steamers, but they had been found unnecessary, and had been discontinued for years. Then why, if the British Government had found such officers unnecessary, should we employ a staff of them? It would be a piece of the greatest extravagance to do so. Not only would we have to pay them large salaries, but we should have to pay the proprietors of the steamers for their accommodation.

Mr. McGEE—May I ask the Hon. gentleman one question? Does the Hon. Gentleman mean to say that there is not an Admiralty Inspector?

Hon. Mr. SMITH—True, when the Cunard steamers arrived at Liverpool, they were inspected by an Admiralty Inspector, with the view of seeing that they were perfectly sea-worthy. If anything was found wrong with the vessel, she was ordered into dock, and not permitted to leave it without a certificate that she was all right. The Hon. gentleman was also unfortunate in his statement of the respective merits of iron and wooden vessels. He said, that if an iron ship touched a

rock, she was sure to go to pieces. Now he (Mr. Smith) had yet to learn that timber ships would remain in tact when cast on a lee shore. Did the Hon. gentleman mean to say that timber ships would have remained longer whole than the unfortunate steamers *Indian* and *Hungarian*, under the same circumstances? He could not venture to make such an assertion. Would any wooden ship, stranded like the unfortunate Canadian ship in the St. Lawrence, have remained solid as she had done until taken to pieces by the person who purchased her? Did not the *Great Britain* remain stranded in Dundrum Bay for a whole year without going to pieces, and was she not now as sound as any vessel afloat? Had not the *North American* arrived in port no less than five times with her fore part full of water, showing that the fact of her having been built in compartments, like some other steamers, had prevented her from sinking? Take the unfortunate case of the *Arctic*, run into by a small French steamer. The *Arctic* was lost with nearly every soul on board, while the French steamer arrived safe at Newfoundland without any loss of life. Then, again, experience had demonstrated that it was utterly impossible to build screw ships of wood. If the House would come to the conclusion that paddle steamers were preferable to screw steamers, then it would be necessary that instead of 100,000*l.*, a sum double in amount should be voted, for the management of such vessels cost twice as much as those propelled by screws. The Company had entered into a contract with the Province and had performed it faithfully, and now they were ready to enter into a more extensive one, and there was no reason to question their willingness or ability to carry out their new engagements. He contended it was not our business to tell when they were to have their boats built, and how. Our business was to consider whether we could give the sum proposed, and for one, he was not prepared to say nay. The motion now before the House was a mere side wind, and the intention was to give the whole thing the go-by. If the motion should pass, the line would stop, and the contracts with foreign Governments would, of course, be annulled. He could not accept such a motion, for it was a mere pretext, and the responsibility be with those who supported it.

Mr. THIBAUDEAU said that if the Postmaster-General had not attributed improper motives to the member for Montreal, and those who supported the amendment, he would have contented himself with giving a silent vote, but he thought that the enquiries proposed were well worthy of attention, and should commend themselves to the attention of the Government, who might, at least, have said that if they could not accept the motion, they would be prepared to investigate afterwards. He contended that it was well known and understood, that wooden ships were safer than iron ships, and, if so, then, it was worth inquiry, whether such vessels could not be built in Quebec. If the trial were made, an important branch of industry might be created which would hereafter be of incalculable importance to

Canada. As to the subsidy, he was prepared, if necessary, to sustain it by his vote, or he would go even for a larger sum, but he wanted the necessity to be made apparent.

Hon. Mr. CAUCHON said it was impossible to wait, for that if any of the ships were built of wood, they ought to be built in the valley of the St. Lawrence. It would be the interest of the Company, if they could build of wood, to build here, because they would enlist the sympathies of the people. However, he could not vote for the resolution, and thus interfere with the company who would, of course, adopt the means of carrying out their contract with the greatest certainty.

Mr. LANGEVIN would leave to the Government, the responsibility of deciding whether the vessels should be of iron or wood. He, of course, desired that the vessels should be built here, but, after all, the first thing was the sustaining of the line.

After some further debate.

Mr. MCGEE'S motion was negatived by 64 against 35.

Mr. SPEAKER then left the chair.

The House then went into Committee of the Whole, Hon. Mr. Harwood in the chair. The Committee proceeded through the Bill, and rose and reported it with one amendment.

Report ordered to be received on Friday.

COMMITTEE OF SUPPLY.

The House again resolved itself into Committee of the Whole, and on motion of Hon. Mr. Galt, His Excellency's Speech was referred thereto.

The Committee rose and reported progress. The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 14, 1860.

The Speaker took the Chair at 3 o'clock.

HUDSON'S BAY TERRITORY.

A Message was read from His Excellency, enclosing a Despatch from the Imperial Government, acknowledging the receipt of the Joint Address of both Houses of last Session, on the subject of the Hudson's Bay.

GROWING TIMBER.

Hon. Mr. ALLAN presented the report of the Special Committee on the Bill respecting growing timber.

The Bill as amended was ordered to be printed and read a third time on Friday.

BANKRUPTCY AND INSOLVENCY.

Hon. Mr. CAMPBELL moved to appoint a Select Committee on Bankruptcy and Insolvency, similar to that formed last Session, and that the said Committee be composed of the Hon. Messrs. Vankoughnet, Simpson, Prince, Tessier, Ferrier, Leslie, and the mover. Also, that the Bill reported by the former Committee, on the 18th

April last, be referred to the Committee. The Hon. gentleman stated that he was induced to make the motion in consequence of what had fallen from Hon. gentlemen yesterday, when the subject of the motion was under consideration. Of course all the information and facts collected by the Committee struck last Session would be laid before the present one. While moving for this Committee he begged to say that he did not anticipate that ultimate legislature on the competent subject could come from any private member but from the Government.

Hon. Mr. MURNEY would like to know if the functions of the former Committee had expired?

Hon. Mr. CAMPBELL replied that the functions of that Committee expired with the Session. The Bill they had framed on the occasion referred to, the Committee did not think such a one as would meet all the wants of the community, and they had distributed it over the country, in order to elicit public opinion on it. The present Committee would be enabled to take advantage of the workings of the former Committee and produce a beneficial Bill.

Hon. Mr. MORRIS suggested that the Hon. gentleman should withdraw his motion, and throw the responsibility of the measure upon the Government. The Bill, he thought, was one that should emanate from the Government—and at the present moment Upper Canada was clamorous for a Bankrupt Law. He also objected to the motion on the ground that the members of the Committee were not the men, he thought, to introduce a good measure on the subject, at the same time he did not wish to cast any reflection personally upon Hon. gentlemen.

Hon. Col. PRINCE said that as it was the general and received opinion, that the present session would be a short one—a fact from which the Attorney-General East deserved immortal honor—he was afraid that the Committee would never be able to report before the prorogation, and thus legislation upon this important subject would be prevented. He did not think that the Government, however, should assume the responsibility of this measure. He would rather that the House should assume that responsibility—and he was sure that if the House did so, the Government would not dare to throw any obstacles in the way. He also would ask the mover to withdraw the motion, and instead of it to introduce a bill framed by him (Mr. Campbell,) which had already been laid before the people through the columns of the *Globe*, and which he (Col. Prince) thought a most excellent Bill.

Hon. Mr. VANKOUGHNET approved of the striking of the Committee, as it would be sure to elicit a great deal of information on a subject which required enquiry, and which was not generally understood. To a mere Bankruptcy Law

he had always expressed himself as opposed. But to a general law of Bankruptcy and Insolvency, which would cut at the root of the present evil, he would lend his support. He could understand very well why his Hon. friend (Mr. Campbell) moved for the present Committee.—The Bill reported by the Committee of last session, was not the Bill of that Hon. gentleman. It was the work of the Joint Committee, and since that Committee had reported, new facts had come to the knowledge of its member, which would lead them to amend that Bill, and therefore, he (Mr. Campbell) would not adopt it. Doubtless the Committee asked for, could report such a Bill as would be found acceptable, and he (Mr. V.) did not see why the wishes of Hon. gentlemen should be thwarted.

Hon. Mr. MOORE thought that, as this subject had been mentioned in the Speech from the Throne, that Ministers intended to bring down a Bankruptcy Bill themselves, and if such was the case, there was little use in the proposed Committee also going to work to frame a similar Bill, since both could not be passed. However, he hoped that any bill that should be submitted to the House, should not be one to apply exclusively to the relief of Upper Canada, for it was a well known fact, that there were many creditors of Upper Canadian debtors in Montreal, whose rights should be looked to as well as those of the Upper Canadians, and who would be injured by a sectional Bill.

Hon. Mr. SIMPSON had advised his Hon. friend (Mr. Campbell) to bring forward this motion, and desired now to say that he thought it a good one. The desired information which the Committee would collect would be valuable, whether the Government brought forward a measure on the subject or not.

Hon. Mr. CAMPBELL contended for the striking of the Committee, especially as the Bill reported by the Committee last session, was not such a one as he could ask the House to support. The Committee would report as soon as practicable—though he did not think from what the Attorney-General had stated, that an ultimate Bankruptcy Bill would be passed during the present session.

Hon. Mr. VANKOUGHNET corrected the Hon. gentleman. The Attorney-General, on the occasion referred to, had been asked if a Bankruptcy Bill would be introduced during the present session, and he answered, no. He (Mr. V.) was always opposed to the passing of a mere Bankruptcy Bill; but the Government, he hoped, would be able to introduce a satisfactory measure on Bankruptcy and Insolvency.

After some further discussion, the names of the Hon. Messrs. Seymour and Morris were added to the Committee. and the motion was carried.

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Quebec, March 14, 1860

MUNICIPAL DEBENTURES RESTRAINT
BILL.

Hon. Mr. ALEXANDER presented the report of the Select Committee, to whom was referred the Bill to restrain Municipalities from issuing debentures beyond a certain amount—with an amendment to prevent persons holding but a small amount of property, from exercising as much control in the passing of by-laws to issue debentures, as persons of large estates. The object which the Committee had in view when framing the amendment, was to enable the majority of votes to represent the greater amount of value in the Township or County, as the case might be.

Hon. Mr. DE BLAQUIERE spoke in favor of this amendment. He had always contended for this principle, and was glad to see it at least recognised. He could recite numerous instances in which property was entirely set aside in the passing of a by-law by numerical force—a state of things which could no longer exist.

The House concurred in the report of the Committee, and the Bill was ordered to be read a third time as amended, to-morrow.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Wednesday, March 14, 1860.

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

MESSAGE.

A Message was received from His Excellency the Governor General, enclosing a despatch from the Colonial Secretary, acknowledging the receipt of the Joint Address of both Houses, on the affairs of the Hudson Bay Company.

BILLS INTRODUCED AND READ A FIRST
TIME.

BILL to amend the Laws respecting the substitution for Affirmation for Oaths.—Mr. Clark.

BILL to provide for the Reduction of Law Costs in the Collection of Debts.—Mr. McMicken.

BILL to establish the Concession Line between the Gore Line and the 8th concession of the Township of Grimsby.—Mr. Simpson.

BILL to consolidate the Debt of the Town of Bowmanville.—Mr. J. Cameron.

BILL to amend the Act to change the tenure of Indian Lands in the Township of Durham.—Mr. Dunkin.

COUNTY TOWN OF BRUCE.

Mr. HOLMES enquired when it was intended to select a place in the County of Bruce for the County Town.

Hon. ATTORNEY GENERAL WEST said it was intended to restore to Municipalities the power to select County Towns.

DISPOSAL OF CROWN LANDS.

Mr. FOURNIER enquired whether it was intended to instruct the different Crown Land Agents, particularly in Lower Canada, to dispose of the lands at public sale, every three, four or six months, in order to prevent said agents from selling the best lots by private sale to their friends, or through friends purchasing the lots themselves; reserving in all cases the right of perception in behalf of bona fide settlers.

Hon. Mr. CARTIER replied that the lands which were for sale were for the advantage of all who chose to make use of them, and there were regulations already which ensured to those who first made application, the right of becoming the purchasers of those lands.

PROHIBITORY LIQUOR LAW.

Hon. Malcolm CAMERON moved that the House resolve itself into a Committee of the Whole, to form a bill similar to that he had before introduced, for the Prohibition of the sale

of Intoxicating Liquors. He had, so far, modified that bill that it would not interfere with the manufacture of liquors, nor with the wholesale trade. This subject had been one of amusement to the House, but it was one of the most serious and important that could come before it. Day after day did we see and hear of the evil consequent on the sale of intoxicating liquors. The papers—even those papers which opposed the main law and all similar measures—teemed with cases of suffering and misery directly attributable to this great evil of society. Nobody attempted to deny the evil, yet nobody took any steps towards lessening it. Persons in the highest ranks of life were as likely to fall victims to this vice as any other; indeed, the most intelligent often seemed the most easily beguiled. There could be no doubt about the right of the Government to interfere in such matters; if they had a right to grant a license, they had a right to withhold the same license and prevent the sale of liquors. In proportion to the number of licensed bar-rooms, was the drunkenness and consequent misery in the country. (Hear, hear.) We could not shut our eyes to these facts, and he hoped such a bill would not be thrown over without due consideration. The member for the County was not in his place, else he would read the petition received from Mr. Linton, the Clerk of the Peace for Perth. He (Mr. Cameron) would, however, say that the petition shewed, that, out of 20 offences committed, 17 or 18 were committed under the influence of intoxicating drinks. Those who were engaged in the traffic of these liquors were of all denominations of professing Christians—Episcopalians, Presbyterians, Roman Catholics,—and everywhere the result had been the same. (Hear.) Many persons had voluntarily given up the use of intoxicating liquors, for the sake of example, after seeing these things. He was not exactly in such a category himself—he had never tasted spirits in his life, but he had acquired his convictions very dearly. Indeed, looking at the fact, that some of the schoolmates of all of us, had been ruined through the use of intoxicating liquors, he wondered how any one could refuse to abstain from them, for the sake of example, if not of themselves. (Hear.) These considerations had led to the formation of the old Temperance Society, which had existed for 30 years, and had consisted of the best people of the country. Since then, other organizations had been formed; he had that day presented 72 petitions from one of them, and there were more coming from the rest. These bodies were acting on principle, they had no connection with politics, although, indeed, certain politicians had endeavored to make use of them, as they tried to do of other associations. (Hear.) For 25 years he had failed to find a single family of ten members, one of whom had not been brought to ruin through drunkenness. Did any deny it? let them give him their list, and he would see if, in a fortnight, he could not write some sad pages of family history due to this cause. Drink made the husband lift his

hand against the wife, the father against the child; it made miserable, hundreds of thousands of people. Of what use was it to invite on one hand, emigrants to come hither, while we allowed our people to be destroyed by law, on the other? (Hear.) Long ago, people used to get rid of this matter very easily—they said, oh! respectable people don't favor the movement—church of England Ministers did not sympathize with it. Now he held in his hand an address, signed by 119 clergymen of the Church of England, to their bretheren in England, asking them to help to do away with the iniquity of which he complained. (Hear.) He maintained that we were bound, as men, not to say as Christians, to legislate in defence of our own blood,—our country, to banish the Curse, to get rid of it as far as was possible. This motion of his took up the lowest possible ground—it aimed merely at shutting up the retail trade, and at preventing those who had no other business, from selling intoxicating drink. In Scotland, lately, a number of noblemen and gentry, headed by the Duke of Argyle, Lady Byron, &c., had felt the necessity of action in this respect, and resolved that they would not rent any land or house to any person who would not agree not to sell any intoxicating liquors. They did this to build up their property, to prevent their tenants from destruction,—and should we not act in a similar spirit, as regarded our country? (Hear.) This might injure some few people, it might throw some idlers upon their resources, but for these men as a class we could have no sympathy.—(Hear.)

The motion was carried, and the House went into Committee, Col. Playfair in the chair.

Mr. McDUGALL addressed the Committee, stating that public feeling in Upper Canada was alive to the importance of some legislation on this subject, and that this feeling was not in favor of an absolutely prohibitory law, so much as of a moderate measure like the one called for by the Hon. member for Lambton. He, himself, too, had seen reasons for modifying his own views, which were now more in accordance with those of the Hon. member, than they had previously been.

Hon. Mr. CARTIER suggested an amendment in the wording of the Hon. gentleman's language, and the Committee then adopted, and, on rising, reported a resolution "That it is expedient to regulate by law, the sale of intoxicating liquors by retail, in this Province."

KNIGHTHOOD OF THE SPEAKER.

Mr. ROBINSON moved an Address for copies of all correspondence between the Canadian and Imperial Governments, in reference to the Knighthood of the Speaker of this House.

Hon. Attorney General CARTIER said there was no such correspondence.

The motion was withdrawn.

Mr. GOWAN could not agree with the Hon. gentlemen who believed that titles of distinction did not elevate persons bearing them, in the

opinion of the public. Suppose he were to address the Hon. member from Waterloo, simply as Mr. Foley, without the "Honorable?"

Hon. Mr. FOLEY said he would much rather not hear the "Honorable," for it reminded him of very unpleasant circumstances.

Mr. GOWAN said, that even in the United States, they had Generals, Colonels and Captains, and they were much more democratic than Canadians. People everywhere, took pleasure in tracing out the genealogy of their families. The desire for distinction was an instinct. One gentleman had said it was not creditable that the Speaker of another Colony had been knighted, while our Speaker had not received that distinction. He (Mr. Gowan) thought such a comparison a mark of disrespect to the Hon. gentleman who occupied the chair. It was a complaint on the part of those who made the motion that he had not been knighted, and he hoped the motion would be withdrawn.

Mr. W. F. POWELL said, it had been contended that there was not much good in a title, but he thought there were some names so very common as to need a title to save them from oblivion. (Laughter.) Jones, Brown, and Smith, were all names to which a title would lend a little dignity.

Mr. TURCOTTE was in favor of titles of distinction where they were deserved.

Hon. Mr. BROWN had intended his remarks to apply only to people in this country. In *old* countries it was a different thing. But here in Canada, when men had done any public service, it was sure to be known and remembered just as well without titles as with them; and as for people going home to England, where they were totally unknown, and seeking for honors there, he thought nothing could be more silly. (Hear, hear.) The Chief Justice Robinson, for instance, had done enough to make him remembered many, many years afterwards, without the title of "Sir." Indeed he might be remembered longer without the title, which removed him a step from the people he had come from, and was to be remembered by.

Mr. TURCOTTE—You are too much of a Yankee for me. (Laughter.)

Mr. J. B. ROBINSON had merely wished to ascertain whether any request had been made by the Government to knight Mr. Smith. It had been rumored that he (Mr. Smith) had refused to accept such an offer. He had not moved for an address to the Governor General; he merely asked the question. But as the House viewed it differently, he would withdraw his motion.

Hon. Mr. CAMERON presented a petition on behalf of the Wesleyan Methodist Conference. That denomination numbered about 250,000, with 450 clergymen; they had always been friends of civil and religious liberty; they had stood up at all times for the rights of all denominations; they had refused to seek or take any undue or selfish advantages. No other body had so uniformly stood upon the common ground of equal rights, without regard to re-

ligious preferences of any kind. They had never sought for any assistance unless it were for the good of the whole community; and they did not do so in the present application. Many had supposed they asked for aid from Parliament for a denominational college at Cobourg; but it was a great mistake; no institution was more deserving of assistance. There was no prayer in this petition for a grant from the Legislature. They understood the University Act to have been framed for the express purpose of assisting academical education in the outer districts, and for the education of the youth of the Province as near their homes as possible. They believed it to be the intention of the Government, that the University should not favor any particular college, but should grant degrees to all who came for examination, no matter where they came from. They were of the opinion that the funds of the University had been improperly expended in Toronto for sectional interests. It was not by magnificent educational palaces, ornamented with stone imported from France, that the mass of the people were to be educated. Those countries most remarkable for education were satisfied with plain buildings. Toronto had long had the lions share of everything of this extravagant kind, and the outer districts were neglected. Three or four hundred thousand pounds had been laid out, ostensibly to facilitate education, but really to promote the local and pecuniary interests of Toronto. The memorialists therefore submitted that the intentions of the Legislature had not been carried out, and that a splendid and unjust monopoly had been created. They were in favor of a University, impartial to all persuasions, and having power to confer degrees in the faculties of Art, Law, and Medicine. Justice demanded that the several colleges of the country should be upon the same footing; and they asked nothing for Victoria College, which they did not ask for every other College in the country. They asked no one for the support of a theological chair; when one was established it would be supported by the church. What they asked was that a committee should be appointed, with power to send for papers and persons, to examine the University Act and report whether it has been carried out in its integrity, and whether the intentions of the Legislature have not been defeated as regards the approbation of funds for academical education throughout the country. He [Mr. Cameron] therefore moved that the petition of the Wesleyan Methodist Conference be referred to a Committee of nine members, with power to send for persons and papers, and instructions to report to this House from time to time.

Hon. Mr. BROWN said an inquiry into the management of the University funds was legitimate enough. But the Hon. mover of the resolution went further, and hinted at the idea of interfering with the College—of breaking up the only College in Upper Canada, which was of an entirely unsectarian character, and which was in harmony with the rest of our educational

system. He (Mr. Brown) would never consent to the hand of spoliation being laid upon that noble institution, which bid fair to be a credit and an honor to the country. It was quite true that extravagance should be avoided in all things. But he thought the building devoted to such purposes as those of University College should be of a substantial and respectable character. These not, of course, to be a lavish expenditure in its construction. The Hon. gentleman would recollect his school-boy days, and he had no doubt, felt in his more mature years, the delight of visiting the room where he had spent those days—in seeing the very bench on which he had sat—and describing those sensations to others. Let him, speak then, of the pleasure which those now being educated within those walls would hereafter derive in revisiting them. He (Mr. Brown) was really not aware what had been the cost of the Building, or how the expenditure had been conducted. He believed, however, that some great abuses had grown up in respect to salaries, and it would be well to have a Committee of enquiry on the subject. At the same time he hoped it would not go forth to the country that any Hon. members of that House dreamt of touching an institution which had really so far succeeded so far well in this a new country, and which he (Mr. Brown) did not doubt would succeed to the extent which had been anticipated by its founders.

Hon. Attorney General MACDONALD agreed with the Hon. member for Toronto, that the way in which the funds had been applied was a fair subject of inquiry. He agreed with him, moreover, in the opinion that the building at Toronto was a credit not only to Toronto but to the whole Province, and considering that such a magnificent structure was devoted to educational purposes, he did not think anybody should be jealous of it. As whether the money had been economically expended in the erection of the Building he was not able to say. It was erected under the advice and direction of the University, and he believed Mr. Langton, who was Chancellor, took a warm interest in the matter, and said that the appropriation by the Senate was not exceeded. The institution being open to persons of all religious denominations, he (the Attorney General) would be sorry to see any movement for depriving it of its endowment. Whether the University had more money than was wanted by it, or that could be applied to other educational purposes, he was not prepared to say; but, from what he could learn, he had no more than was sufficient to keep up the institution in a creditable shape. The Hon. gentleman had not struck a Committee which he would like, and he would therefore ask him to defer the motion until a suitable Committee could be agreed upon. Such a Committee as the Hon. gentleman had named would only look at the matter from one point of view. Besides it was not a fair one for the Government, there being only himself as connected with the Government, and one Ministerial supporter in the list.

Hon. Mr. SICOTTE said he hoped whenever the question of breaking up or destroying the endowment of some Roman Catholic College was proposed, the Hon. member for Toronto would not forget the sentiments he had expressed in reference to University College.

Hon. Mr. CAMERON said he could not understand how the Hon. member for Toronto had got hold of the idea that he [Mr. Cameron] proposed to destroy the endowment of the University. Nothing was further from his intention. The motion was then withdrawn for the present.

The House adjourned.

LEGISLATIVE COUNCIL.

Thursday, 15th March, 1860.

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

THE COASTING TRADE.

Hon. Mr. VANKOUGHNET presented a Return to an Address from the House to His Excellency the Governor General, dated the 8th inst., for copies of any communications which have taken place between the Canadian and Imperial Governments, respecting the rejection of the Acts of the Canadian Parliament of last Session, respecting the Coasting Trade.

ALMA ELECTION.

Hon. Mr. MOORE, from the Select Committee appointed to try and determine the matter of the petition complaining of an undue election for the Electoral Division of Alma, reported that the Committee had met their day, and moved, seconded by the Hon. Mr. CRAWFORD, that they have to adjourn until the 28th inst., to give time for the translation, into English, of the evidence and the Report of the Commissioners appointed to hold the *enquête* relating to the said election. The Report was concurred and the motion granted.

Hon. Mr. SIMPSON presented the first Report of the Committee, on Printing, recommending that the quorum of the Committee be reduced to seven. The Report was adopted, and a motion in accordance therewith carried.

MUNICIPAL DEBENTURE'S BILL.

The Bill to restrain Municipalities from issuing Debentures beyond a certain amount was read a third time and passed.

ABOLITION OF GRAND JURORS IN RECORDER'S COURTS.

Hon. Mr. CAMPBELL, in moving the second reading of the Bill providing for the abolition of Grand Jurors in Recorder's Courts, said it referred exclusively to Upper Canada, and its object was to dispense with a Grand Jury in those Courts, where only petty larcenies, and the smaller class of criminal cases, were tried. Recorder's Courts existed in Toronto, Hamilton, Kingston, Ottawa, and London, before each of

which not more than nine or ten cases ever came during a term. It was at present necessary, in addition to the Petit Juries, to have, in those Courts, a certain number of men taken from their business, and who were principally merchants, bankers and shop-keepers, to act as the Grand Inquest. These gentlemen were called upon to sit for the preliminary investigation of offences which were afterwards tried before a Petit Jury. He admitted that, in general, there was no safer way of dealing with investigation of crime than through the ministry of a Grand Jury, but in cities, such as we had named, when there were Police Magistrates—either professional men, or men of great experience—who had already made an enquiry into the case submitted to the Grand Jury, he did not see the necessity for that body. The Police Magistrates were quite competent to dispose of the inquiry, in the first instance, as to whether the accused should be sent for trial, and, in all cases before them, not only had the defendant the right, which he had not before the Grand Jury, to cross-examine the witnesses, but the evidence was taken down in writing, the Court was held with open doors, and the decisions being usually reported by the Press, were subject to the criticism of public opinion. The Police Magistrates felt the responsibility which attached to them in conducting a public investigation, and as there could be no trial before the Recorder's Court until they had decided that a *prima facie* case was made out, there was surely no need for a second preliminary inquiry before the Grand Jury, a body whose proceedings were kept secret, and which was not controlled by the same influences as the Police Magistrates in cities. Such second preliminary investigation, not merely caused a great waste of time, but often was attended with dangerous consequences, such as the absence of some of the witnesses who appeared before the Magistrate, and proved an obstacle to, instead of assisting the right of administration of justice. He found that in England a proposition to abolish Grand Juries in the Metropolitan districts, where there are Police Magistrates, has been before the House of Commons, and has received the sanction of a Special Committee, and that both in that House and the House of Lords, a Bill, similar in principle to this one, had been introduced. Lord Chelmsford was the framer of the measure, and it had passed a second reading in the Upper House, with the approval of all the eminent legal men who had seats there. The Bill of which he spoke confined the abolition of Grand Juries to metropolitan districts, and we should do more to apply it to our cities where there were Police Magistrates. He anticipated that Grand Juries would ultimately be entirely abolished both in England and here.

Hon. Col. PRINCE—I hope not.

Hon. Mr. CAMPBELL thought that when the day comes that we have Police Magistrates throughout the country, Grand Juries will no longer be needed. He had some experience as to their utility in Recorder's Courts, and con-

sidered them of no use, for they almost invariably followed the decisions of the Police Magistrates; they were in the way of justice instead of advancing its interests, and he did not consider any danger could arise from their abolition. No doubt the Grand Jury was of some importance in cases where the offence was serious, or the prosecution was carried on by the State, but it should be recollected that Grand Juries did not now fill the position which they once did. At any rate the Police Magistrate might very safely be trusted with the preliminary investigation of cases which came before the Recorder's Courts. The five Cities in which those Courts existed in Upper Canada, each furnished every Session a panel of 23 Grand Jurors, so that upwards of 100 men were taken from their usual avocations for the space of six days, to make a formal inquiry into what had already undergone investigation, and for whose findings and presentments the Petit Jurors were obliged to wait, occasioning a great waste of time both to them, the Court, and its officers.

Hon. Mr. VANKOUGHNET approved of the Bill now before the House. The object of the Grand Inquest was to deprive malicious persons of the power, by means of an ignorant Magistrate, (and he was sorry to say there were many such in this country) of dragging an innocent man before a public Court for trial, and charging him with an offence which would bring disgrace on himself and family. It was supposed that the Grand Jury, composed of the most respectable, influential and wealthy men in the country, would be an effectual protection to innocence, and yet would be above screening crime, no matter by whom committed. In cities, however, where there were Police Magistrates who conducted the preliminary enquiry openly, and before whom the parties had advantages which they had not before the Grand Jury. He did not see that that body was required, either as a safeguard or otherwise. He thought the Hon. gentleman (Hon. Mr. Campbell) entitled to credit for bringing before the House a measure, which would tend to reduce the expenses of the administration of justice, and had the merit of being simple in its language, and yet quite adequate to carry out the object contemplated.

Hon. Colonel PRINCE said the country was certainly indebted to the Hon. gentleman for introducing this Bill. The Police Magistrates were generally competent to discharge all the duties now allotted to the Grand Jury, and he instanced Mr. Gurnett, the Police Magistrate of Toronto, whose opinion was so sound, and who was so discreet in his conduct, that no man could be found more fit to send a case to be tried before a Petit Jury. The abolition of Grand Juries in Recorder's Courts, would effect a great saving both in time and trouble. He (Hon. Colonel Prince) differed in opinion from the Hon. gentleman, (Hon. Mr. Campbell,) who had expressed a hope that Grand Juries might be one day done away with altogether. God

forbid that they should! They had existed from time immemorial, and were the only true bulwark between the Crown and the subject. In the course of a practice of 38 years at the Bar, how often had he not seen this greategis thrown around an innocent man, shielding him from the efforts of a malicious prosecutor,—how many had he not seen, whose character was saved by the bills against them being ignored by the Grand Jury? It was all very well to say that a man had been acquitted by the Petit Jury, but in nine cases out of ten, a stigma remained after that acquittal, and the finger of scorn was pointed at the unfortunate accused. There were few cases, indeed, in which a man recovered from the stigma attaching to a public trial. The Grand Jury, in all cases, gave their decisions, or should give them, free from "malice, hatred, and all uncharitableness," and no man, he thought, was disgraced by having a bill presented against him which was ignored. The Grand Inquest was not now what it once was,—composed of men, (in the words of that great commentator, Blackstone,) "of the first figure in the country." In England it was not a number of dirty acres,—or pounds, shillings, and pence, in the Funds, which qualified a man to be a Grand Juror in those days; nor was the man of the first figure, one of these dandies dressed up like dancing masters. No, it was one who was bred up to the principles of honour—a real gentleman, whom it would be as difficult to make swerve from the path of rectitude, as it would be to turn the sun from its course. Our Grand Jurors now, were not composed of such men as Blackstone spoke of, and too often it was seen that they, like Municipal institutions, did not accomplish in this country, all the good for which they were originally established.

The Bill was then read a second time, and, on motion of the Hon. Mr. CAMPBELL, referred to a Select Committee, consisting of the Hon. Messrs. *Vankoughnet, Prince, Allan,* and the mover.

CHALLENGING OF JURORS.

Hon. Mr. CAMPBELL moved the second reading of the Bill, respecting the challenging of Jurors in certain cases. The Hon. gentleman explained that the object of the Bill was to prevent the abuse of the right of challenging Jurors, enjoyed by every defendant in a case of felony. Such defendant having a right to challenge 20 Jurors peremptorily, out of a panel of 48, had virtually the selection of those who were to try him, and could exclude any jurors whom he considered likely to give a fair and honest verdict. The Crown had had its right of peremptory challenge taken away by Statute, and, according to modern practice, was obliged to show cause for challenging a juror; Crown Counsels, in fact, were in the habit of dealing liberally and leniently with jurors, and were never or rarely seen challenging. But with the prisoner it was different; at every trial for riot—in every case of an acrimonious character, the right was exercised, and frequently used to the great contempt of justice.

Whether the House would go the full length of the Bill as printed, or allow two jurors to be challenged peremptorily, as was the case in civil suits, in Upper Canada, would be a matter for consideration, and if referred to a Committee, it might be seen which was more desirable to adopt. The Bill simply took away from the defendant the right of challenging peremptorily, but he would retain his right to challenge for cause. It was called for by the fact that men were often seen acquitted, who ought to have been found guilty, and there appeared to be no remedy for such an evil, unless by depriving the prisoner of a right which was always abused.

Hon. Mr. VANKOUGHNET had only seen the Bill to-day, and, at first sight, was not prepared to give it his unqualified approbation. There was no doubt that, in cases where political or local feeling was excited, the right of peremptory challenge was exercised to such an extent, as to enable the accused to select as his Jury, men too zealous to give a verdict in his favour. He (Hon. Mr. Vankoughnet) did not object to the second reading of the Bill, but he thought it desirable its further consideration should be deferred, until the opinions of Counsel and Judges, engaged in the trial of criminal cases, were had on the subject. He would vote for the second reading, on the understanding that sufficient time should be given, after the Bill went to Committee, to obtain those opinions.

Hon. Colonel PRINCE thought the Commissioner of Crown Lands was quite right in desiring to have the opinions of the Judiciary and the Bar, on this question. It was by tinkering our laws, (to use a vulgar expression,) that they required to be re-tinkered so often. Formerly, in the time of Blackstone, it was only in capital cases that the right of peremptorily challenging jurors existed,—now, if an old woman lost her goose, and a man was tried for stealing it, he could challenge 20 jurors without assigning cause. The present Bill only restored the old law, on the subject, and proved that modern legislation was not an improvement; it placed the right of challenge in its old and proper position. No one was more anxious to afford the accused every possible chance of escape, and, if condemned, to see him condemned according to the highest law. This feeling was similar to that which actuated the late Chief Justice Tindall, in advising Mr. Phillips to address the jury in Courvoisier's case, after the prisoner had admitted his guilt. But the law was not now so severe as formerly, and there was no reason why the prisoner should have, in cases where the penalty was not death,—in small cases, such as perjury,—the right of peremptorily challenging so many as twenty jurors. He would support the Bill.

The Bill was then read a second time, and referred to a Select Committee, consisting of the Hon. Messrs. *Vankoughnet, Prince, Allan* and *Campbell*.

The House adjourned.

LEGISLATIVE ASSEMBLY.

Thursday, March 15th, 1860.

The SPEAKER took the chair at three o'clock.

BILLS INTRODUCED AND READ THE FIRST TIME.

BILL to incorporate the College of Three Rivers.—Mr. Turcotte.

BILL to legalize certain proceedings of inspectors of ditches and fences.—Mr. Bourassa.

BILL to divide the Township of Windsor, in the County of Richmond, into two distinct Municipalities, one to be called the Township of Windsor, and the other the Township of St. George de Windsor.—Mr. Webb.

BILL to diminish the number of licenses, for the sale of intoxicating liquors by retail.—Mr. Simpson.

BILL to legalize certain articles of Notary Clerks.—Mr. McGill.

BILL to amend the Municipal law of Upper Canada, Consolidated Statutes, chap. 54.—Mr. A. P. Macdonald

BILL to amend the act to incorporate the Brockville and Ottawa Railway Company.—Mr. Bell.

BILL to amend the act to incorporate the village of New Hamburg.—Mr. Wm. Scott

LOSS OF STEAMERS—ENQUIRY.

Mr. Dunbar ROSS moved that a committee be appointed to enquire into the causes of disasters to Steamships sailing to Canada, and ports adjacent, and to report to this House such measures as may be deemed advisable and practicable for the prevention of such accidents in future, and the punishment of the guilty parties. He named the following gentlemen for this committee: Messrs *Dorion, Morrison, Ferras, Loranger, Beaubien, Morin, Lemieux, Seymour, McGee, Rose, H. Starnes*, and the *Atty. General West*.—Carried.

ESTABLISHING THE RATE OF INTEREST.

Hon. Mr. CAUCHON, in moving for the second reading of his bill, fixing the maximum rate of interest; said he would not repeat the arguments that had been brought forward on the same subject on a recent occasion. He simply wished to explain the nature of the bill. It was intended to establish the rate of interest as low as possible. He would name six per cent. subject, however, to the approval of the House. He wished every member to be satisfied with the rate fixed, and would, therefore, leave it in a great measure to the House to name the rate. In the second clause of the bill it was proposed to let the banks remain as they are at present, unless a majority of the House thought otherwise. The third clause of the bill, provided that those who, either directly or indirectly, were guilty of taking higher interest for their money, than the rate fixed, should forfeit the principle and the interest. He thought that would be a sufficient punishment, though the old law required three times the amount of the

principle for the same offence. He was anxious to have all who favoured the bill, to vote for it, and all who opposed it to vote against it; he hoped the question would not be avoided. He wished a plain vote upon the principle involved. Last year, opportunity was not given for bringing the subject fairly before the House, or the country. He hoped that would not be the case this Session. He moved for the second reading of the bill

Mr. DUFRESNE moved the previous question.

Hon. Mr. CAUCHON hoped the Hon. gentleman would not play with so serious a question, but allow the House a chance of voting for or against the principle of his bill, in which hundreds, aye, hundreds of thousands of people took a deep interest, and for which very many petitions had been sent in from Lower Canada, and from Upper Canada, too.

Mr. DUFRESNE would take full responsibility of his course. He thought it was not right to agitate the country about a question which had only been decided two years ago. He had voted against the change in the law then, not because he had been opposed to the principle of free trade in money, on which all economists were agreed, but because it was intended to bring it into force immediately on its passage, to which he was opposed. He would now ask the attention of the House to this point, the question had been decided, two years ago, extensive commercial operations had been entered into on the strength of the law as it stood, which would be thrown into confusion, if you destroyed its basis. Again, there were tens of thousands of people, who had borrowed money at 8 or 9 per cent. who would have to repay it to-morrow, if this law were passed, since capitalists would say,—“Repay us our money, we cannot get more than 6 per cent. from you, we will speculate with it ourselves, or buy bank stock which pays us 8 and 10 per cent.” He might add that the repeal of the Usury law, in 1858, had not made money tight in Lower Canada. It could be had in his neighbourhood among the *habitants* at 6, and from capitalists for extensive operations, on good security, at 8 or 10.

Hon. Mr. SICOTTEE raised a point of order: Could the previous question be put as an amendment to the second reading.

Mr. SPEAKER said it was very unusual, but it was in order. He quoted an English precedent in favour of his decision.

Mr. TURCOTTE, Hon. Mr. DORION, and others asked that Mr. Dufresne's motion should be withdrawn.

Mr. DUFRESNE withdrew his motion accordingly, in conformity with the general desire.

Hon. Mr. BROWN was opposed to the proposed measure altogether. There was no doubt but that it was a most injudicious measure. Its principle was bad, but its promoters, to carry it out to its legitimate extent, did not go far enough. For instance, notes of hand were articles of merchandize, and could be disposed

of for any amount, and yet the Bill did not touch them. It was true that more than the legal rate of interest,—that is supposing the proposed measure passed,—would not be taken; but what was not done directly would be done indirectly. Take the case of mortgages for instance. Money at the proposed rate of interest could not be borrowed on them, but the money must be had at all events, and, consequently, there would be no end of what was called “shaving” to bring the interest up in a round about manner, to what the tender considered a just value for it. One consequence of the system was, that the poor man had not only to pay interest on his money but insurance also. But there was also another view to be taken of the question. If the proposed measure became law, it would drive all the capital out of the country. Nearly all, or at least a great portion of the capital in the country was foreign, and the moment it was known that the legislature had made it an offence, entailing imprisonment, to take more than eight per cent., that moment all this foreign capital would be withdrawn. It was said, in support of the measure, that the poor man could not afford to pay a high rate of interest for his money, but it was well known that when money could be borrowed freely at ten per cent., on real estate, that, in hundreds of instances, farmers were glad to avail themselves of the rate and borrow money that was the means of saving them from immediate ruin. The effect of the law of 1853, which preceded the abolishing of the Usury Laws, was to introduce a great deal of capital into the country. Money was continually being sent out here for investment; and he felt sure that if the present law was allowed to stand as it was for some time longer, that it would have the effect of greatly reducing the rate of interest—a consequence that must follow from an increase of capital in the country. Again he would repeat his conviction that one of the first effects of the Hon. gentleman's Bill would be to drive away all the capital from the country. No sooner would it become law than the capital would be withdrawn and investment sought elsewhere on more equitable and natural principles. There was another point to which he would refer, and that was, that most of the transactions which had aroused the greatest feeling in the country against a high rate of interest, were mainly owing to the want of a good Bankrupt Law. There could be no doubt of this, and Hon. gentlemen on the Treasury Benches should particularly notice the fact. The large creditor would come down upon the small debtor and, by threatening immediate execution, compel them to pay up at once the amount they were indebted to them. This the poor debtors could not do without borrowing money at an almost ruinous rate of interest, to which course he was accordingly driven. If a Bankrupt Law was in force such a state of things could not exist. For, then, the poor debtor could plainly state the position in which he stood, and demand time to meet his engage-

ments, and this, the majority of the creditors—even if the rest were unwilling to do so—could give him. There was, no doubt, that, if this proposed measure was passed, its object would be defeated; and it was far better for the law to do a thing directly, than to drive the community to do it indirectly. It was far better that the people in England should know precisely what they were to expect, and what inducements there were for them to come over here, and invest their money, than that a law should be passed, which would be sure to be invaded, and which would exercise an injurious influence on the interests of the country. The manner in which the proposed law would work, could be judged very well, from the mode of operation adopted in institutions which were restrained from taking more than a stated rate of interest. The Banks for instance. What Hon. gentleman ever borrowed money from a Bank at six per cent. per annum? It could not be done. The Hon. gentleman again pressed upon the House, the rejection of the Bill, and sat down.

Hon. Mr. THIBAudeau moved in amendment, that the Bill be not now read a second time, but that it be resolved that the rate of interest shall be fixed at 6 per cent. He did not, however, wish to defeat the Bill, but to determine the rate of interest, so that it might be incorporated in it, and, if necessary, he would be willing to modify his motion in any way which would ensure the accomplishment of that object.

The SPEAKER explained that the amendment would have the effect of postponing the Bill.

Hon. Mr. THIBAudeau—Then I will withdraw the motion.

Hon. Mr. FOLEY—The arguments of the Hon. member for Toronto were not distinguished by his usual logic. In the first place, his criticism of the Bill was unworthy of him, for what did the words “to fix the price of money” mean, but to establish a legal rate of interest.” He then maintained that if the law were passed, it would be of no value, for that it would be evaded. Well, if that argument was good against a usury law, it was equally good against any other law, intended to repress offences injurious to society. For instance, apply the argument to the law against smuggling, and would it be held that, because the revenue laws were evaded by illicit traders, that, therefore, they should be abolished? Those laws, as it was known, were transgressed every day, and the disposition to evade them was, perhaps, even greater than to break those against usury. Give such a principle a general application, and you may as well abolish all laws at once, for there would always be found men ready to offend. Then the Hon. member alleged that the passage of the Bill would have the effect of driving away a great deal of capital from the country. This he was not prepared to admit. There was no lack of capital before the repeal of the Usury laws, and, indeed, while he had no disposition to question the soundness of the Canadian Banks, he yet thought that they

were, if possible, in a healthier condition than now. Capital, in those times, was fully as abundant as at this day, if not more so, and, indeed, he believed a fixed rate of interest had operated exactly the reverse of what the Hon. member predicted would be the case, for all the money that was wanted could be readily procured. But let the Hon. member be taken on his own ground, viz.: that the law will be evaded, and, if so, where was the harm of passing it? With one breath the Hon. member said that the law would lead to the withdrawal of a great deal of our capital, and with another, that it would have no effect at all. Were these propositions correct? He (Foley) had at one time been inclined to vote against the usury laws, but experience of the tribulation which had followed their repeal, had led him to change his opinion. That measure, he was satisfied, had been of no benefit to the country; it had not increased our capital, but it had engendered a most demoralizing traffic, which had been fatal to a great many borrowers. He would support the principle of the Bill.

Mr. DALY agreed in this matter with the Hon. member for Toronto, and was satisfied that the repeal of the Usury Laws had been of essential benefit to the country. To his certain knowledge, large sums had been brought into the Province and invested at ten per cent. Before then, it was next to impossible, except for large mercantile houses or some few eminent lawyers, to procure money, but, since, the difficulties had been in a great measure removed. It was no doubt true, that small sums were sometimes loaned at as high as twenty per cent., and it often happened that the payment of such a rate could be done with advantage to the borrower. For instance, to prevent the sale of his cattle or implements, a farmer might borrow £50 at twenty per cent., to be repaid when his harvest came to market. Was he not benefited? In lieu of having his property sacrificed by Sheriff's sale, he paid a few pounds for a temporary loan; which he was morally sure he would soon be able to repay, and he knew cases precisely of this nature. He was sure the majority of the people of Upper Canada would be greatly dissatisfied if the law was repealed. Since the abrogation of the Usury Laws, many Loan Societies had sprung up, which supplied money at eight or nine per cent., and Building Societies at seven per cent., which could not be said to be exorbitant rates. He was glad to find the Government were not disposed to support the Bill before the House.

Mr. McMICKEN read, from a letter he had received, showing that mortgages first taken at six per cent. were renewed at thirty per cent., and when not paid, were foreclosed. The letter recommended him to call for a return of foreclosures, when the disastrous effects of the existing law would be fully seen. It was answered by the opponents of his Bill, that the law had not had a fair trial, and he was willing that a searching inquiry should be instituted. He was willing to refer the two Bills to a Com-

mittee of impartial men who would endeavor to sift out the truth, and if they came to the conclusion that the present cry was only raised by the temporary depression of the country, he would be willing to withdraw his measure; but he was sure they would elicit facts which would tell a most frightful tale of broken hearts and ruined homes; of men who had been obliged to part with their farms for a mess of pottage, and to go off to other countries. They were told that the passage of this Bill would drive away capital and prevent capitalists at home from sending any here, but it was well known that moneyed men in England did not look for high rates of interest, but for safety and punctuality in the payment of the interest when due, and when this was secured, money could be had at five per cent. He knew of agents who got money from home, with orders not to take more than eight per cent., but who charged twelve or fifteen, keeping, of course, the balance. It was for the House to say whether such sharks should be allowed to prey upon the country. Then it was said the banks could not loan money under eight or nine per cent., for that their management cost two and a-half per cent. Well, in old times they charged six, paid dividends of eight and large bonuses, and why should they not be able to do so now? The depression of the country was also pleaded, and it was depressed; but was it in times of depression that a law legalizing enormous usury, should be enforced? He had not before referred to the arguments supplied in a book of some authority—the Bible—but he would now say, that it fully treated on the subject and strictly prohibited the loan of money at usurious rates, and surely the great Lawgiver would not be ignored by this House. The Hon. gentleman concluded by reading an extract, showing the evil effects which had resulted from a temporary repeal of the Usury Laws in the United States.

Mr. WALLBRIDGE said, there could be no question but that the rate of interest ought to be regulated by the average rate of the profit of business in the country. It had been argued in favor of an unlimited rate of interest that, if people could not borrow at a high rate from the moneyed people and institutions, they would have to resort to brokers who would charge them double and treble the amount they would otherwise have to pay, because the brokers would have to take a circuitous way of granting the loan in order to evade the law. This argument would not, however, bear the test of facts. Before the Usury Laws were repealed in this country, money could be had in abundance at the Banks at six per cent. (Hear, hear.) Now, on the same paper—paper equally good—the Banks would charge nine and ten per cent. But the evil of the present system did not rest here. In our cities and towns they found no buildings going on now as formerly, because people could get more for their money by lending it out at interest. The consequence was, that mechanics and others were debarred of one great source of employment. Then, the same

evil effect was observable in the agricultural districts. Farmers, instead of investing the surplus money arising from the sale of their cattle and crops, sought to invest it on mortgage at a high rate of interest, rather than in improving their farms and increasing the quantity of their products. He (Mr. Wallbridge) had taken great pains to inform himself on the subject, and he had found that all the books which spoke of interest on money were agreed in saying, that an unlimited rate should only be allowed in countries that had arrived to an advanced state. No one would venture to say that Canada had arrived at that state.

Hon. Mr. CAYLEY said that the arguments of the Hon. gentleman, amounted to this: that it was only in countries which were in an advanced state or stage, that the rate of interest should be unlimited. What was understood by an advanced stage? He believed the farmers of this country were even more intelligent than the same class in the old country.

Mr. WALBRIDGE said the farmers in the old country were not the money borrowers.

Hon. Mr. CAYLEY said the manager of the Union Bank of England, was authorised to make advances to farmers to a certain extent, and though it was called an accommodation, yet considerable sums were thus borrowed. One gentleman had said the establishment of branches of Banks was an evil to the country. Now, the great claim put forward a few years ago, was for the establishment of these branches of the older Banks, to afford greater facilities in obtaining discount. (Hear, hear.) The Union Bank of Scotland had ninety branches. In a country like this, money was a commodity, and the price of it should not be fixed. Long ago an attempt was made to fix the price of bread—but that was a failure. It did not reduce the rate of wheat or flour, though it robbed the baker's shops. All admitted that a business could not long prosper if the capital were borrowed at 15 or 20 per cent, but to deprive the community of the right, in cases of necessity, to borrow at high rates, was quite another thing. Men should not be compelled to borrow at, say, six per cent; a man might be able to save his farm by borrowing at 30 per cent. But men would rather sell their farms at a loss of 10 per cent. If the English capitalists expected 5 or 6 per cent, where they could draw it periodically and safely, we should not expect money at the same rate, three thousand miles away. If there was one radical defect in this country, it was want of punctuality, and the only way to get English capitalists to overlook this, was to offer them a high rate of interest. It was not only in borrowing money that men paid a high interest. Look at the farmer who borrowed his seed wheat. Did he not often pay back two bushels for one? That was paying a hundred per cent, yet, because it was not in money nothing was said about it. This Bill had not had a fair trial; the last two years had been years of uncommon depression, owing to speculations, failure of crops, and other causes. Want

of money had been general; one of the largest capitalists of Upper Canada had had his notes shaved in Toronto at 15 per cent discount. There had been no proof of the ill-working of the Repeal Bill, and it would be wise to test it a little further, before defeating their own object in previous legislation.

Mr. SIMPSON did not think the Hon. gentleman, who last addressed the House, had brought any arguments against the second reading of the Bill. If one of the richest men in Upper Canada had borrowed at 15 per cent, and if farmers borrowed at 100 per cent., it was certainly the duty of this Legislature to put a stop to such proceedings. The effect of the changes in the Usury Laws, had been to convert our Banks into shaving shops. (Cries of shame.) The price of real estate had been considerably reduced from the same cause, and the enterprise of the country had been damped. The Bill of the Hon. member for Toronto, in 1853, had produced these results, and the people were resolved to stand it no longer. Before that Bill of '53, there had been no difficulty in obtaining money at six per cent. He was of opinion that the Bill had been tried long enough; he contended that the present system had been tried seven years in Upper Canada, and its effect had been more injurious than all the Legislative errors of the last ten years.

Mr. WEBB wondered at the want of unanimity on this subject, exhibited by Upper Canadian representatives. He, a Lower Canadian, contended that the repeal of the Usury laws had been beneficial. However, he thought a bill might be introduced, to allow six per cent. to be the legal rate of interest, and to allow 10 per cent., on Special contracts, to be collected in our courts, which would meet the views of all parties.

Mr. BOURASSA thought the laws of the Session before last, had done more damage in Lower Canada, than could be easily remedied. Every year, since 1853, multitudes of petitions had poured in from Lower Canada, for a law against Usury. Instead of that, a law had been enacted in 1858, which legalized it still further! In Upper Canada, too, Public opinion was fixed. He had himself presented numerous petitions from that part of the Province. And, if petitions were needed, to induce legislation, thousands would be sent in from all parts of the country.

Mr. A. P. MACDONALD knew that in many instances a man's having borrowed at 10 per cent. had saved him from selling his farm. And as for the Banks, which were very liberal when times were good, they closed their doors when times were dull—Usury laws or not. The true remedy for the distress prevalent in Upper Canada, was to give the people a Homestead law. Let them have their farms.

Hon. Mr. CAUCHON—And a house.

Mr. A. P. MACDONALD—And a house and lot. That was the true remedy.

Mr. MACBETH had quite changed his views on this subject, since the law passed, two years ago, through watching its operations among the

people, and the distress that was universally prevalent, owing to it. The farmer borrowed money on mortgage at 25 per cent. and could not pay the retailer. The wholesale merchant, charged the retailer 14 per cent. for his balances. The retailer put the same rate on accounts, due by his customers. This state of things could not go on. As far as his vote would go, he would prevent it. (Hear) As for capital being brought in from the old country, he would say, "rather than have it at ten per cent., do not take it at all!" (Hear.) If the whole of it had to be paid back, every eight or ten years, and then paid back over and over again, he said the country could not afford it. (Hear) Look at the advertisements in the Upper Canada newspapers, and they would find Barrister this and Barrister that, who was unable to earn a living in his own business, turning money broker, standing between the lender and the borrower. (Hear.) Understanding the operations of the Court of Chancery, these men turned the farmer out of his property before he knew it. (Hear.) He (Mr. Macbeth) had watched the operation of the existing system in his own constituency, in the County of Middlesex, and in the town of London. He was satisfied that it was wrong, and would vote for a bill to fix a maximum rate of interest. (Hear.)

Mr. JOHN CAMERON argued that any change would injure the country at large, and that the Legislature would stultify itself by altering the Act of two Sessions since. He did not like to see any individual—much less an Assembly—abandoning hastily the views he had previously held. Money, he believed, was worth its value, and, if we did borrow it from the Mother Country, we made our own by doing so. The distress that was prevalent had arisen from our commercial position, not from the recent change in the Usury Laws.

Mr. WILSON thought money was more plentiful, and interest lower than it had been for years past—relatively, that was. He strongly opposed any change in the existing law.

Hon. Mr. SHERWOOD believed that money was like all other commodities: that its price depended upon supply and demand, and he did not think its price could be diminished by erecting barriers to prevent its influx. As far as his experience went, there had been extortioners in Lower Canada before the latest law, as well as now. There had hardly been time, yet, to allow of money from Europe, coming in. Give a little more time, and one or two good harvests, and the agitation against the present law would cease.

Mr. ROBINSON said hardly any of the members who had spoken against the existing law had brought in any petitions in favor of a change. The foundation of the existing agitation was, therefore, built on a very poor basis. One great source of distress was that the banks were unwilling to lend to farmers, or small dealers, but busied themselves in getting the accounts of railroads and large commercial institutions. English capitalists had found that they could not invest

safely at eight per cent., for any length of time; therefore, they would not invest in this country. As for the farmers, they fleeced themselves at the rate of 20 or 30 per cent. (Hear, hear.) He should vote against this bill, because he knew from experience that a large amount of capital had come into the country that would have never come but for the repeal of the law on Usury. Farmers had come into Toronto lately who could not borrow money in their own localities for less than 20 per cent, and in Toronto they could borrow for seven per cent. (Hear, hear.) Now, that was owing to the law of last year, which had brought capital into the country. By repealing the bill of last year we should fall back into the old state of things, which none who viewed the matter in a proper light would think desirable. These sudden changes in our monetary institutions were in themselves of a dangerous tendency. He should therefore vote against the bill.

Mr. RYMAL supported the Bill, because of its principle.

Mr. LEBOUTILLIER opposed the present law and hoped it would be repealed.

Mr. DRUMMOND was glad that he had arrived in time to record his vote against this Bill. He had never changed his mind on the subject of the Usury Laws. Their continuance, he always thought, calculated to keep up the high rate of interest—and he said this in view of the facts which had come to his own knowledge of farmers paying twenty and thirty per cent. since the repeal of the Usury Laws. This was an enormous per centage to pay for money. But, if the money lender could not have got it directly, he would have got it indirectly. Money was never more easily attainable than since the passing of the present law. In the part of the country where he came from, it could be had any day for eight per cent. on good security. Stability in legislation—especially in money matters, he thought of more importance than perfection. The fact that we had abolished the Usury Laws, had already been published in England, and it had induced capitalists to come out here and invest their money. Perhaps the country had committed a mistake in abolishing those Usury Laws—but, at all events, they were abolished, and it would have a most disastrous effect upon the interest of the Province, if the news were to go home that the policy of the Province had been changed, and the rate of interest reduced by Act of Parliament: more especially as the present law had not had a fair trial. He hoped that the House would show the world that there was stability in Canadian Legislation.

Hon. Mr. LEMIEUX said that if there had been one law which injured the country more than another, it was that one which had done away with the penalties against Usury. Experience ought to make even theorists open their eyes. It had been said that thousands of pounds had been lent out in Toronto under the new law. That might have done some good, but how much had not been done by lending out money,

at the same time, in the same place, at a much higher rate? He could mention a number of cases in which people had been ruined through the operation of the miserable law which had been in existence for about eighteen months. It was said there had been usurers before, who imposed their own conditions on the borrower. This was difficult to do, under a stringent law, and there were many people who were conscientious enough not to outrage the law, although a few would not hesitate to do so. He protested against the comparison of money with ordinary merchandize. And the proper way to induce a flow of money hither was, to legislate so as to make the security of the lender certain. Then we should have money at 5 per cent., while now it was much higher.

Hon. Mr. SICOTTE thought that nobody would wish to bring us back to the time when it was considered a crime to take interest on money at all. Yet the same outcry, he thought, was raised when that state of things was altered as when the Bills of 1853 and 1858 were introduced. Usury Laws were, he thought, opposed to the spirit of the age. Both parties seemed to have a common view, that it was well to have the rate of interest as low as possible. They, however, sought to accomplish their ends by different means. Legal restrictions had always failed. How was it that, in New York, where the legal rate was fixed, it raised in the market and was often above the legal rate? Why should not the owner of money, which was the fruit of his labor, be at liberty to dispose of it at the same rate as the labour itself. He placed a price upon his labor, and if those who wanted it did not like to give him what he asked, they were at liberty to decline it, as well as he to decline working at the price they offered. For his part, he had never attributed to the law of 1853 or to that of 1858, the calamities so eloquently depicted, and he did not believe any such troubles had followed, but that things were pretty much now as they were before. The effect of Usury Laws was to withdraw capital from circulation, and another evil of them was that it led the moneyless men to regard the rich with an evil eye. The circulation of money had always resulted in the extension of liberty and the improvement of the general condition of society. Again where the severest Usury Laws prevailed the poor were always poor and they always succumbed to the wealthy.

Major CAMPBELL had from the first regarded the repeal of the Usury Law as an experiment, and as such was in favor of giving it a more thorough trial than it had yet been allowed. The peculiar circumstances of the last two years had necessarily interfered with the experiment and rendered it impossible to judge how it would work in times of ordinary prosperity. One great error in our country was want of stability in the laws. (Hear hear.) If capitalists

heard of another change in our monetary laws within so short a time, it would have a prejudicial effect on the interests of the country. There had been no proof that the law had been unsuccessful in its operation; if there were such proof, he should vote for the repeal of the bill. But he had seen nothing of its ill effects; indeed, in his own locality, the effect had been rather favourable than otherwise. There was no great difference in the general rate of interest in most cases; but there were some parties loaning their money at from 8 to 12 per cent. who, under the old law, would not loan their money in that neighbourhood at all, because they could get only six per cent. for it. (Hear, hear.) Many had gone to the Trust and Loan Company and borrowed at 8 per cent. No bad effects of the repeal had yet been perceptible, and he should therefore vote against the present bill.

Hon. Attorney-General CARTIER said he did not intend to discuss this measure. When the Bill of the Hon. member for Welland was before the House the other night, he had made known the views of the Government, to the effect that they did not think that the law, as it was, should be disturbed, that the law of 1857 was nothing more than the completion of the law of 1853; and that the Government did not think that any such evils had arisen as those instanced by the Hon. member for Montmorenci, or the Hon. member for Welland. But he would take this opportunity of saying that, on this occasion, the members from Upper Canada ought not to lose sight of the fact that, when the law of 1857 was passed, the members from Lower Canada were taunted with desiring to impose their views on this question upon Upper Canada. Remembering this, it would have been well, perhaps, if Hon. members from Upper Canada had not, on this occasion, as well as the other day, been so violent in the manifestation of their feeling, against the Legislation of 1857. Certainly they could not have been surprised had the taunt, he had referred to, been retorted upon. He (the Attorney-General) recollected when the law of 1857 was being passed through its different stages, an amendment was proposed by a member from Upper Canada, the effect of which was, that the Lower Canadian members ought not to degrade themselves, so far as not to allow the Usury law to be repealed, so far as Upper Canada was concerned. Now he thought those members from Upper Canada who had so suddenly altered their views, could not complain if any Lower Canadian members were to-day to turn round and propose the repeal of the existing law so far as it was applicable to Upper Canada. (Hear, hear.)

Hon. Mr. CAUCHON had heard his Hon. friend from St. Hyacinthe, with some surprise, for he had said that it was better not to make laws than to make such laws as would not be obligatory upon the subject.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Thursday, March 15, 1860.

ESTABLISHING THE RATE OF INTEREST.

Concluded from our last No.

Hon. Mr. SICOTTE had said that he thought it was unnecessary to make laws which it was certain before hand would not be observed.

Hon. Mr. CAUCHON—Well, there was not much difference, and he (Mr. Cauchon) held that all laws passed by the proper authorities were obligatory, and should be enforced at any cost. The principle of the bill before the House he regarded as good, and it was of no use saying that it could not be made obligatory, for it should be and might be made so. When the law now complained of was passed in 1858, he and other Lower Canadians had offered it all the opposition in their power, but two-thirds of the Lower Canada members were absent, and it was passed in spite of them. It was now said that the law had done no harm, and, as a proof, an Hon. member had argued that in his neighborhood money could be borrowed at from 8 to 12 per cent, to which he (Cauchon) would reply, that no farmer could continue to borrow at such prices from the produce of his ground without being ultimately ruined. He might put off the evil day but he would be sure finally to succumb. He would not prolong his remarks, for the arguments on both sides had been so often repeated, and were so well understood, that nothing new could be advanced, but he would nevertheless repeat that, if it was useless to legislate against usury, because there would be usury in spite of it, the argument was equally good in respect of other offences, and that an extension of such a principle would necessarily do away with legislation against all immoralities.

MAJOR CAMPBELL begged to correct the Hon. member, who had taken up and placed in a false light some of his words. He had said to be sure that from 8 to 12 per cent for money was paid in his part of the country, but he had also

said that he did not perceive in this any difference from the state of things which existed before the repeal of the Usury Laws, and that on the whole he rather thought money was easier obtained than it was formerly.

Mr. FERGUSSON had seen reason to change his opinion, since last session, on the Usury Laws. Then he had voted for the present measure; now he voted against it. He would even go further, and, convinced of the present evil effects of the Bill, vote for any amendment which would make the measures of the proposed Bill more stringent than they were. He ridiculed the statement of Hon. gentlemen, that money could be had for a low rate of interest. Money lenders would always take their twenty and thirty per cent.,—by fair means if they could, if not, by indirect means. If money-lenders did lend money at seven or eight per cent., they took right good care to increase the interest to twenty or twenty-five per cent., by means of bonuses and other means.

Dr. CONNOR opposed the proposed Bill—because this was the worst possible time to make any change in the present law—because the present law had not, as yet, a fair trial—and because it would be most injurious to the interests of the Province that we should have no fixed legislation on the subject. It had been stated by some Hon. gentlemen, that the people demanded a change in the present law, but in the county which he represented, he had not received a single remonstrance or notice of disapprobation against it. It was impossible to judge of the working of the Bill since it was passed, since there had been very bad times almost up to the present; and now that the law had a chance to work, it was proposed to repeal it. He hoped Hon. gentlemen would sustain the present system and resist the proposed change.

Col. PLAYFAIR would not deny that much that was reasonable, had been said upon both sides, but must express his opinion that a fixed rate of interest was certainly desirable.

The Hon. FINANCE MINISTER would not allow the debate to close without expressing his entire

concurrence in what had fallen from the Hon. Attorney General. He thought it undesirable that any effort should be made to disturb the existing law. If it was calculated, at the time, to do any good, sufficient time should be taken to try it fairly. All the arguments in favour of another change had been from effect to cause, and not from cause to effect. Hon. gentlemen had imputed to the operation of the bill of 1858, effects which might unquestionably be traced directly to other causes; chiefly to surmise speculation, and to the failure of the harvests for two successive years. Instead of imputing the high rates of interest paid, to the change in the law, it should be imputed to the effect of the great demand for money, and the scarcity of money to loan. Now, when the want of money was producing evils, was it sensible to shut the door in the face of the money that was coming in to remedy those evils? (Hear, hear.) If they destroyed the prospect of making large profits, the money would cease to come—would be absolutely excluded. Now it came in, because parties could make their own arrangements, as regards interest and security for it. The policy of the free trade in money, must be tried before it could be pronounced upon. The object of the repeal of '58 was to induce money to come here, and when the country had encountered all the temporary evils, consequent upon the change in the law, and was now beginning to reap the benefit of the law, he must say it showed a want of discernment, to contemplate, even for a moment, such a change as that proposed. It was surprising to see the change that had come over the views of many gentlemen, since that law was passed in '58. The Hon. gentlemen from Welland, and Niagara, were among the most determined advocates for the repeal of the Usury Laws, and now when we heard them telling us with equal earnestness, that the laws of Usury ought to be re-enacted, it might very well be doubted whether they were safe guides in such matters—(Hear, hear)—it might very well be doubted whether the new light they had got on the subject, was any better, or any safer to walk in, than the light they had got in the fifty years of their life before. He thought they ought not to take a retrogressive step; he had no doubt, the result of a further trial, would convince the people that the law was a good one. Not a single petition had been presented, that he was aware of, praying for this re-enactment of an old law; certainly, there had been nothing like a general expression to that effect, as there would have been, had all the evils arisen, which had been alleged. Why, the table would have been covered with petitions, as it was yesterday with petitions on the subject of temperance. There was certainly no evidence before the House, to warrant them in a change of the law.

Hon. Mr. FOLEY said there was more evidence than there was the other day, for the necessity of the subsidy to the Ocean Steamers.

Hon. FINANCE MINISTER said there was so much evidence on that subject, that the Hon. member did not vote against the subsidy.

(Laughter.) Such a change in the law as was proposed, would lead people at a distance to think we had no fixed views on the subject. The step taken in repealing the Usury law, was in harmony with the most advanced views of political economy. But, if we must fix the rate of interest, he would be in favor of fixing it very low at once, and if they must interfere between the borrower and lender, let them do something for the farmer and put it say at three per cent. (Laughter.) He hoped the vote on the Bill before the House would show that Upper Canada at least was unanimously opposed to disturbing the law, and in favor of allowing it a fair trial in the assurance that it would prove beneficial on the simple principle of supply and demand.

Mr. STARNES shewed, that enquiry into this important subject was absolutely necessary, and gave notice that he would, at a future day, move for a Committee of enquiry into it.

The vote stood—Yeas, 50; Nays, 60.

YEAS:—Aikins, Archambault, Beaubien, Benjamin, Biggar, Bourassa, Bureau, Burwell, Caron, Cauchon, Chapais, Cimon, Clark, Cook, Coutlée, Daoust, Desaulniers, Dionne, Dorland, Dubord, Ferguson, Foley, Fortier, Fournier, Gaudet, Gill, Gowan, Harcourt, Hébert, Jobin, Langevin, Laporte, Lemieux, Loux, Donald A. Macdonald, McMicken, Munro, Ouimet, Panet, Piché, Playfair, Walker Powell, Dunbar Ross, Rymal, Simpson, Tassé, Thibaudeau, Turcotte, Wallbridge, White—50.

NAYS:—Abbott, Alleyn, Baby, Bell, Brown, Burton, John Cameron, Malcolm Cameron, Campbell, Carling, Cayley, Attorney General Cartier, Connor, Daly, Dorion, Drummond, Dufresne, Dunkin, Ferres, Finlayson, Foster, Galt, Gould, Harwood, Heath, Holmes, Lacoste, Laframboise, Le Boutillier, MacLeod, McCann, A. P. McDonald, McDougall, McGee, Meagher, Solicitor General Morin, Morrison, Mowat, Notman, Papineau, Patrick, Pope, Robinson, Roblin, Rose, James Ross, Richard W. Scott, William Scott, Sherwood, Short, Sciotte, Simard, Sincennes, Sydney Smith, Somerville, Starnes, Stirton, Webb, Whitney, Wilson.—60.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, 16th March, 1860.

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

GRAND JURORS IN RECORDERS' COURTS.

Hon. Mr. CAMPBELL, from the Select Committee, to whom was referred the Bill intitled "an Act to abolish the use of Grand Jurors in Recorder's Courts in Upper Canada," reported the same with one amendment, and the report having been received, the Bill was read a third time and passed.

LIGHT HOUSES IN THE LOWER ST. LAWRENCE.

Hon. Mr. MORRIS, seconded by the Hon. Mr. Moore, moved that an Address be presented to His Excellency, praying that a copy of a letter, which on the fourteenth day of October last, was addressed to the Honorable the Commissioner of Public Works by the late Captain Jones, of the ill-fated steamship *Hungarian*, regarding the erection of Beacons and Light Houses in the Lower St. Lawrence, may be laid before the House.

Hon. Mr. VANKOUGHNET said there could be no objection to the motion. Letters on the subject had been received, not only from the late Captain Jones, but from all the other Masters of the Canadian Steamships. He called the attention of the Hon. gentleman (Hon. Mr. Morris) to the report of Mr. Paige, the Engineer sent by Government to examine these Light-houses, and which was appended to the report of the Commissioner of Public Works, just issued.

The motion was granted.

IMPERIAL SUBSIDIES TO OCEAN STEAMERS.

Hon. Mr. DE BLAQUIERE inquired if the Executive have taken or purpose to take any, and what further action, with a view to obtain from the British Parliament or the Imperial Government, redress for the injury inflicted upon Canada by the Imperial subsidies to ocean steamers trading to the United States, and whether it is the intention of the Executive to seek any aid to this object by means of the Canadian Legislature now assembled.

Hon. Mr. VANKOUGHNET replied that, so soon as information had been received, that a Committee had been appointed by the House of Commons to inquire into the subject of subsidies to ocean steamers, the Government had despatched the Hon. John Ross, Minister of Agriculture, to England, to urge the claims of Canada before the Committee. Anticipating that he would have to answer numerous inquiries in Parliament, relative to his recent mission, it was thought better not to send the Postmaster-General, and as Mr. Ross had been with him during the accomplishment of that mission, and was well acquainted with the subject, the Government felt that he could be safely entrusted with attending to the interests of this Province in the matter. The absence of a member of the Government, during the Session of Parliament, was, of course, inconvenient, but the Executive considered that the sending of a mere subordinate would not so well show the importance which Canada attached to this question. The Government would be prepared to follow up whatever steps might be adopted by the Committee, but as yet, had done nothing more than despatch Mr. Ross as a delegate, conceiving the Address of last Session so strong, that little more could, at present, be said by the Legislature on the subject.

MANAGEMENT OF PUBLIC LANDS.

Hon. Mr. VANKOUGHNET moved the third reading of the Bill respecting the sale and management of the Public Lands.

Hon. Mr. SEYMOUR called attention and objected to the 35th clause, allowing the Crown to sell and appropriate water lots in the harbors, rivers, and other navigable waters in Upper Canada. He thought the principle of this clause unsound, and that its effect would be to vest a number of lots belonging to private individuals in the Crown. Many parties in Upper Canada had erected wharves and storehouses on these water lots, thinking they had the right to do so, and the Crown, under this clause, could dispose of such lots, and deprive them of their property. Unless the Honorable Commissioner of Crown Lands would consent to withdraw the clause, he (Hon. Mr. Seymour) would move in amendment, that the Bill be not now read a third time, but that it be referred to a Committee with instruction to strike out the 35th section.

Hon. Mr. VANKOUGHNET said that if the Honorable gentleman understood the clause, he would not move to strike it out, for it was inserted in the interest of the very parties whom that Hon. gentleman (Hon. Mr. Seymour) supposed it would injuriously affect. There was no doubt whatever in Upper Canada, that a party could erect wharves, &c., on water lots, the only question was, whether, as regards the Crown, he could be authorised to do so. Some doubts had been thrown out as to the power of the Crown to sell or appropriate water lots, such as were built upon by hundreds in Toronto, Hamilton, and other Western cities. No doubt was expressed as to the right of these persons to go there, but the question was, whether the Crown could give them a title to enable them to hold their property against all the world. The Crown never granted these lots to any but the riparian proprietors, and the doubt sought to be removed, was that entertained by some as to the power of the Government to give those proprietors the right to build wharves in deep water. The Crown had no interest in the lots now in possession of private parties, and this clause was inserted in the Bill, merely to establish and place beyond cavil, its right to confirm and establish these parties in such possession. He believed the Crown had such right, but there were others who were not of the same opinion, and hence the clause. It was only the other day that, acting upon the opinion he had enunciated as to all water lots on navigable rivers being vested in the Crown, the Government had granted the Corporation of Portsmouth permission to erect a wharf in deep water in the harbour of Kingston. The clause, as he had remarked, did not give any additional power to the Crown, but merely enabled them to secure to individuals those lots which they now held under an uncertain title.

Hon. Mr. SIMPSON was of opinion that if the clause were allowed to pass, proprietors of water lots would be obliged to come and ask the Gov-

ernment for permission to use the same, and (mentioning one case in which \$36,000 had been expended in erecting harbors,) he argued that the greatest hardships and injury would be the consequence of such an enactment. He did not expect, however, that any great trouble would be caused so long as the present Commissioner of Crown Lands held office, but it was possible his successor might not be so considerate, and the House should protect owners of property against any contingency. He believed it was the opinion of some parties, that a proprietor on the lake shores had a right to the water lots in front of his land, and he knew a case in which a gentleman, now a member of the Government, had asserted such right in a Court of Justice. He would second the amendment.

Hon. Mr. CAMPBELL did not see that the Bill could be safely altered. The law has always been, and still is, as stated in the Bill, which is merely declaratory on the subject.—Water lots have been frequently granted by the Crown, and the greatest evils would ensue, both with regard to fisheries and otherwise, if the beach in front of a man's property were to belong of right, to him,—the grants made by the Crown in such case would be void, and the purchaser from the Crown might have a remedy in damages. There was evidently no disposition on the part of the Crown to molest persons now in possession of water lots, and it was surely more safe to allow the law to remain as it is, and trust to the Government permitting parties to use the beach, than to set up a title which could not be maintained. He did not see that the Bill at all added to the power of the Crown; it merely removed doubts on the subject.

Hon. Mr. MURNEY entertained no doubt as to the power of the Crown to exercise the rights spoken of, with reference to parties holding deep water lots. The present Government or Commissioner might not interfere with these parties, but others and their subordinates could do so. He instanced one case at Belleville, of a man named Laurence, whose family had owned property there for 80 years, and enjoyed the right of fishery in front of the land. Not long ago an agent of the Crown came down and told this poor man that unless he obtained a license the fishery would be leased to some one else, and rather than have fishermen crossing his land and burning his fences, he was obliged to buy the license. He (Hon. Mr. Murney,) thought the Crown could have no object for the sake of 15s. or 20s a-year, received for a license, in disturbing parties in what they had been allowed to consider their rights.

Hon. Mr. PERRY said the only question was, whether the Bill would not give the Executive power to sell the beach as well as the right to the water, to the prejudice of the riparian proprietor. He knew of many beaches which had been formed by the water receding, and in such cases they surely belonged to the owner of the land. He understood the Courts of law had always held that the beach between high water and low water mark belonged to the riparian

proprietor, and could not see how the Crown had a right to lease the beach.

Hon. Mr. VANKOUGHNET remarked, that the sole object of the Bill was to prevent parties who had built wharves in deep water, from being liable to having their property cut down or destroyed by those who might pretend that they had no right to water lots, and had never had their title confirmed by the Crown.

Hon. Mr. BOULTON was quite surprised that any objection was made to this clause. If there was any one in the House interested in this question, it was himself, for he owned a front of two miles on the shores of Lake Ontario. He had never supposed he had a right to water lots without the consent of the Crown. To allow every riparian proprietor to do what he pleased with the beach, might be productive of much harm to the public,—take the case of a person putting up tanneries near a town, how injurious would it not be. He considered the Crown always had the right to dispose of water lots, and that they had it still.

Hon. Mr. SEYMOUR believed there had been decisions in Upper Canada, which shewed the law on this question was quite different from what the Hon. member for Catarague, (Hon. Mr. Campbell,) and the Hon. Commissioner of Crown Lands (Hon. Mr. Vankoughnet) had stated. It was his (Hon. Mr. Seymour's) impression that it had been decided parties had a right to erect wharves in deep water, without the consent of the Crown, if they did not impede the navigation of the river as a public highway. If it was the desire of the Government to benefit those in possession of water-lots, why not vest such lots in them, instead of saying the Crown has, and always has had the power to sell, or grant the same. And if there was no doubt about the law on the subject, why say that clause was inserted to remove doubt.

Hon. Colonel PRINCE thought the Bill should give the Crown the power to dispose of water-lots, though he, personally, had never entertained a doubt, as to its right to sell or appropriate these lots. No Corporation or individual had a right to intrude upon deep water, and although the intruder might say he could not be disturbed, so long as he did not lessen the width of the highway, a case might arise, in which a party erecting a wharf under such circumstances, would be answerable in damages. Suppose a schooner on a navigable river or lake, wished to run ashore at a particular spot, but was prevented from doing so, and wrecked, by striking against one of these wharves, would not the person who caused the obstruction, be liable for any loss of life that might occur? As a lawyer of 38 years standing at the Bar, he (Hon. Colonel Prince) was obliged to say he would. The Crown, in cases of this description, had always acted upon a broad and general principle. He never knew an instance of a stranger coming in and desiring to purchase a water-lot, in which the Government did not give the riparian proprietor the preference, or when more than £10 was asked for such lot. He thought the question

should be set at rest, as to the rights of the Crown in the premises, and that the clause should remain as it was.

The amendment was then put and lost.

Hon. Mr. MORRIS drew attention to the 5th clause of the Bill, giving the Government power to appoint officers. He saw no necessity for permitting the appointment of additional officers in the Crown Lands Department. He had no apprehension the power would be abused so long as the Hon. gentleman (Hon. Mr. Vankoughnet) was at the head of the Department, but he did not wish to see the executive enabled to appoint any number of officers they pleased. The law of 1853 allowed the appointment of Agents, and he did not see why the word "officers" should be added in this clause, particularly at a time when an idea was prevalent that there were already too many officers in the Departments, and when economy was so necessary to be practised. He also referred to the 22nd clause, as permitting a patent, issued by the representative of the Sovereign, and to which the great seal was affixed, to be cancelled by the Commissioner. There appeared to be something wrong in this, and cases might arise, in which the patent would be cancelled by the head of the Department without any motive.

Hon. Mr. VANKOUGHNET explained that the word "officers" was introduced to provide for filling vacancies in the Departments, and to make it appear that it was not merely "Agents" who could be appointed.

Hon. Mr. MORRIS—Would not the appointment of any additional officers be a violation of the Civil Service Act?

Hon. Mr. VANKOUGHNET—No; the Civil Service Act did not provide for the appointment of officers, but for their classification; and, notwithstanding it, the Governor and Heads of the Departments might nominate as many clerks as were required, or as they pleased. This clause, however, did not give any additional power to appoint officers. As to the 22nd clause, the cases in which it was intended the Commissioner should be authorised to cancel the patent were enumerated; if misnomer occurred, as if a party were called John instead of James, or there was any clerical error, or wrong description of the property. All such cases, however trifling, were now obliged to go before the Governor-in-Council, and weeks often elapsed before an order was passed, entirely founded on the Commissioner's report respecting them. It was only to expedite business, by rendering a reference to the Executive unnecessary, that this clause was introduced.

Hon. Mr. BOULTON viewed the clause as a very valuable one. He knew a man who got a patent for lot 8 instead of 18, and not being able to have the error corrected promptly, lost more than the value of the land in litigation.

Hon. Mr. DELATERRIERE enquired whether under the 9th clause, the Superintendent of Indian Affairs would have power to dispose of the Indian Lands, as the Commissioner might the Public Lands.

Hon. Mr. VANKOUGHNET observed that the clause was not new; it was the same as existed in the old law, and merely gave the Governor-in-Council power to declare the provisions of the Act applicable to the Indian Lands. It did nothing more than enable the Superintendent of Indian Affairs to collect arrears, sell lands for the same, and cancel patents, as could be done by the Commissioner.

The Bill was then read a third time and passed.

INCORPORATION OF PILOTS.

Sir E. P. TACHE moved for the second reading of the Bill to Incorporate the Pilots below Quebec. This Bill had been introduced on a petition of the Pilots—not a section of them, but they were all unanimous to get it passed. Some time ago, a movement similar to that which produced the present Bill, was agitated amongst them—but as the movement did not proceed from the entire body, it fell to the ground. The Bill did not, in the least, interfere with navigation. It could not, indeed, because all the by-laws of the proposed Incorporation, would have to be, according to the provisions of the Bill, approved of by the Trinity House of Quebec—and no regulations could consequently be made disadvantageous to the country. The chief provisions of the Bill he had mentioned. The by-laws, it was promised, would be published in the Quebec journals, in the French and English languages—the Trinity Board having first approved of them. For a long time this Board had tried to restrain the Pilots within certain limits, but without much success—as, in consequence of the competition, they would be sure to overstep the limits that had been prescribed to them. Those Pilots even went down as far as the Gulf of St. Lawrence, and, in consequence of the fogs which prevailed there, they would, in very many instances, miss the vessels which they expected to pilot up the river, while from the same reason the vessels would miss them—so that the Pilots were kept without vessels, and the vessels without Pilots. This competition which, in general, was wholesome, was in this instance productive of evil. In the eagerness of their competition, under the present system, the Pilots ran great danger. Twenty-two had, he was told, fallen victims to it. But the evil of the present system was also felt in another way—inasmuch as great numbers of those Pilots were annually carried to Europe. All these matters would be provided for in the proposed Incorporation. He desired to refer the Bill to a Special Committee, if it were allowed to be read a second time, before which he intended to examine the officers of the Trinity Board, members of the Quebec Board of Trade, and Captain Armstrong, the Harbour Master, an experienced mariner.

The Bill was then read a second time, and referred to a Special Committee, composed of the Hon. Messrs. Walker, Armstrong, Tessier, Laterriere and the Mover.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Friday, March 16, 1860.

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

BILLS INTRODUCED AND READ THE FIRST TIME.

BILL to amend the Act respecting Separate Schools in Upper Canada.—Mr. R. W. Scott.

BILL respecting witnesses and evidence.—Mr. A. Wilson.

BILL for securing the health of the people of Upper Canada, against infection arising from uninterred bodies of persons dying of malignant diseases.—Mr. J. Cameron.

BILL respecting Police forces in Cities and Towns in Upper Canada.—Mr. A. Wilson

BILL respecting Registry Offices in Lower Canada.

MIRROR OF PARLIAMENT.

On motion of Mr. SIMPSON, the communication from Messrs. Thompson & Co., respecting the publication of the Mirror of Parliament, was referred to the Joint Committee on Printing.

CONSOLIDATED STATUTES L. C.

Hon. Mr. CARTIER moved, seconded by Hon. Mr. GALT, for leave to bring in a Bill respecting the Consolidated Statutes of L. C., which would be ready in about a week.

TIMBER ON INDIAN LANDS.

Hon. Mr. CARTIER introduced a Bill for the better protection of Timber on Indian Reserves in Lower Canada. In explanation, he observed that there were some Acts for the purpose of protecting such timber already, but the Indians evaded them, by cutting timber and taking it on to adjoining lands, where they sold it to the whites.

Hon. Mr. DORION enquired if the correspondence with the Imperial Government were complete on the subject of transferring the management of Indian Lands to the Crown Lands Department.

Hon. Mr. CARTIER said it was not yet completed. If it were, then this Bill would be unnecessary, as the Crown Lands Regulations would effectually protect the timber in question.

Hon. Mr. DORION asked if the importance of legislation on the subject of the Indian Lands were understood.

Hon. Mr. CARTIER—The Govt. were fully alive to the importance of it.

Mr. BENJAMIN said there was just as great a necessity for having the matter looked into in Upper Canada as in Lower Canada, and, for aught he knew, more so. The Mohawk tract, in his country, only brought in a miserable pittance of from £300 to £500 a year, whereas the lands could be sold for from £100,000 to £150,000, and this money, if judiciously invested, would bring in £6,000 or £7,000 a year.

Hon. Mr. CARTIER—The Government were in correspondence with the Imperial authorities for the transfer to the Crown Lands Department of the Indian Lands in both Upper and Lower Canada. (Hear.)

Mr. WALLBRIDGE wished to call the attention of the Government to the fact that it was very difficult in Upper Canada to transact business with the Indian Department at all. It would be better to erect this Department into a Corporation, so that some means of legally transacting business with it might be found. For forty years all transactions had been carried on with the Visiting Superintendent of Indian Affairs in his own individual name. He (Mr. Wallbridge) quite corroborated the remarks of the Hon. Member for North Hastings (Mr. Benjamin.) If the lands were sold the interest of the money, properly invested, would procure to the Indians a much larger sum annually than they now received. He admitted that it would be hard to deprive them of their inheritance, but they made so bad a use of it that it might be necessary.

Hon. Mr. FOLEY complained that the Government had abandoned legislature for Upper Canada altogether. Indeed Upper Canada had, perhaps, no right to expect it at the hands of Hon. gentlemen opposite, who so insolently domineered over them. (Hear.) The next thing they would be told was that legislation was carried on with the concurrence of the people of Upper Canada.

Hon. Mr. GALT—Undoubtedly.

Hon. Mr. FOLEY—Notwithstanding, he had the consolation—the people of Upper Canada did not think so. They were governed in direct opposition to their wishes. (No, no.) Let the Postmaster General, who cried “no, no,” bring in, if he dared, a bill relating solely to Upper Canada, and he would see. (Hear.)

Hon. Mr. SMITH—It would be like the resolutions on the Postal Subsidy. Hon. gentlemen opposite would say they were in favor of it, but vote against it to a man. (Hear, and laughter.)

Hon. Mr. FOLEY—Hon. gentlemen might jeer and mock as they pleased. He, however, could never hear the Hon. Atty. Gen. for Lower Canada refer to the legislation required for Lower Canada, without reminding him of the fact that he kept Upper Canada in a state of degradation which her people felt acutely. (Hear.) He passed laws for the amelioration of his own section of the country, while Hon. gentlemen sat on the seats behind him who dared not bring in bills for the benefit of the people of Upper Canada. (Hear.) He was governing Upper Canada against her will. (No, no.) He was keeping his colleagues from Upper Canada, in a position degrading to themselves, and hateful to the people they pretended to represent. (Hear.)

Mr. ROBLIN said there was a very stringent law in Upper Canada for the protection of timber on Indian Lands.

Hon. Mr. CARTIER—And the chief features of that are what we now wish to introduce for Lower Canada.

Hon. Mr. FOLEY—Why then did the Hon. Member for South Hastings (Mr. Wallbridge) complain?

Mr. ROBLIN—He did not complain. He had acted as an Indian Commissioner and knew

what he was talking about. But just as long as the Hon. Member for North Waterloo (Mr Foley) made such an exhibition of himself as he did the other night, saying that "no matter what a measure was, if it came from the Government, he would vote against it, good or bad," the people of Upper Canada would take his statements for what they were worth. (Hear.)

Mr. HARCOURT wished to say that the Indian Lands in Haldimand would be much better if they were under the Provincial Government. He trusted some such arrangement would soon be made, for now the lands were of no use, even to the Indians themselves.

The Bill was then read a first time.

THE LAW OF MORTGAGE—L. C.

In moving to introduce a bill on this subject, Hon. Mr. CARTIER had always been of opinion, that the laws relating to mortgages and their registration admitted of much improvement, and both in 1857 and 1858 he had had the honor to propose some such reforms, but he had been met by an objection, the force of which he had acknowledged. His object had been to prevent the mortgagee from being suddenly deprived of his rights in the property mortgaged to him through a confirmation title or a Sheriff's Sale. There was not a county in Lower Canada, at present, where there was not a Registrar, but the real question to be considered was whether the mortgages or hypothecs on property could not be so registered as to be easily ascertained by uninterested parties. He wanted to make it incumbent upon an applicant to produce the Registrar's certificates with his petition for confirmation of title, and the Sheriff was to produce with his return the certificates of registration existing at the time of the sale against the property sold, but the objection made was that the registrations were made not against the property but against the debtor or mortgagor, and that, therefore, the Registrar could not give the information desired. He thought, however, that he had found a solution of the difficulty. By the law, at present in existence, if a mortgagee wished to preserve his rights and to prevent prescription of his hypothec, he was obliged to sue any third party owner of the property mortgaged, and if he left such third owner undisturbed for 10 years he forfeited his recourse. In his bill he proposed to oblige the Registrar to produce certificates of registrations against the parties who were owners of any property that might be in question for the preceding 10 years, but it might be that he would not know the said owners, and in such case he would have to take the evidence under oath of two of the neighbours or parties knowing the property, as to who the owners had been or were. His certificate, then would cover the names of the owners during 10 years and also the name of the author or predecessor of last proprietor at the expiry of the 10 years. He was far from desirous of dispossessing the hypothecary creditor of the rights he now had, and he would retain his present power to file

oppositions. The Bill would further be beneficial to the creditor under *hypothèque* by protecting him from his neglect of putting in an opposition and this would be no small advantage. In the course of his practice he had known many instances in which lawyers had been instructed to put in oppositions to the sale of property advertised in the *Gazette*, but who had forgotten to do so, and through whose neglect the rights of the creditors had been lost. He also provided that hypothecary creditors should be at liberty to renew their registrations as often as they pleased. In this way they would be put in a position to make known in a more certain manner their rights, which, under the actual law, it was very difficult in some cases to do. At present, as well known, fraudulent sales were sometimes made, and the property, as advertised in the *Gazette*, was so described that the said creditors often failed to recognize it and it was sold before they discovered that their rights had been invaded. Under existing circumstances the buyer could sue out a confirmation of title, but all he was required to state was that the property for three years had been owned by certain persons, which, of course, did not convey a very clear idea of what it was. The necessity under which his bill would place the Registrar of giving certificates of registrations against the owners for 10 years, would be a warning against frauds if any were intended. There was also some difficulty in registering mortgages on property generally, also recognizances in favor of the Crown and the rights of women under marriage contracts. To meet the two first mentioned cases he would make them special mortgages by requiring a notice of the designation of the property to be mortgaged. As to marriage contracts, he provided that with their registration a similar notice containing a description of the property to be mortgaged be given by the husband, or by the wife herself, or, as there might be some hesitation on her part in doing so personally, by any of her friends, her father, brothers, &c. He would also make it necessary that ulterior registration should be made against any specific property acquired subsequently by the husband.

A VOICE—If she neglected.

Hon. Mr. CARTIER—Then she would forfeit her rights, and if she did not describe the property with which her rights was charged, any portion of the property sold would be free from any claim on her part. This provision he regarded as important, for in the event of a husband wishing to cheat his wife by neglecting to register her claims her friends could do it for her. Some other changes in the laws regarding mortgages would probably be necessary, and he thought it was desirable that all mortgages should be enregistered against some specific property.

Mr. LORANGER—Yes, that was the real reform wanted.

Hon. Mr. CARTIER—It was not easy, however, to meet the want, without first ameliorating the system in force, for it would be necessary, first

to make our Cadastres of all the property in Lower Canada. The bill would, however, authorize the making of plans from the seigniorial Cadastres already in existence, and indexes could be made of the lands in lots. In the Seigniorial Cadastres, the lands were enumerated in lots, and plans would be made from them, bearing the names of owners, and deposited in the Crown Lands, and in the Prothonotaries office at the *chef lieu*. Under the Seigniorial regime the *centenaires* could go and consult the *Terrier*, but the Seigneurs would soon have passed away, and therefore he proposed to have three copies made of the plans, one of which could be lodged in the Crown Lands Office, one with the Registrar, and one with the Prothonotary of the District. So that in case of fire, it would not be likely that all three should be destroyed. In cities and towns where lots might be subdivided, the subdivisions would be carefully marked on the plans, and it would be the duty of the proprietors to have this done. After this was done he would make it compulsory on mortgages to specify the particular property on which their claims were to be enregistered. He had also proposed to make the seller describe the lot on the plans, but sales had at times to be made with despatch, and he had not insisted on this, but had left them to describe the property more fully by a notice at the time of registration.

Hon. Mr. SICOTTE—If he should make a mistake?

Hon. Mr. CARTIER—Mistakes were now made, and some properties might be omitted from the plans, but he made provision for amending them when omissions were discovered.

Hon. Mr. SICOTTE—If the property had been parcelled out, what then?

Hon. Mr. CARTIER—The different parcels must be specified as forming part of such lot mentioned in the plan, and as there would be a double registration, mistakes would not be very likely to occur. The bill would further provide, that the yearly assessment roll would have to be handed to the Registrar, and from it he would be able to verify the registrations.

Hon. Mr. LORANGER—Was it intended to make Cadastres of all the property in Lower Canada.

Hon. Mr. CARTIER—The plans would be made from Cadastres, but in some places, Cadastres had not been made, and it would be necessary to get the information from other sources.

Hon. Mr. LORANGER—expressed his approval of the proposed bill, which so far as he knew from the statements of the Hon. Atty. General East, would accomplish a great, and much needed reform. It would be a valuable improvement to have mortgages registered against property instead of against persons. Unless this were done, in 40 years it would be next to impossible to ascertain the condition of landed property in Lower Canada, and sales would be almost impossible. At present, in order to ascertain with any certainty, whether a property was free, it was necessary to travel back to 1841, and the Registrar's certificate often occu-

ried 8 or 10 pages. This was a great inconvenience, and if it could be effectually remedied, great benefit would result. It would, however, be imprudent, to multiply the laws relating to land, for it would only throw difficulties in the way of their codification. There were probably some details of the law which would be open to criticism, but they could be examined in Committee. He approved, however, of the principle of this bill, and would reserve further remarks for a future stage of it.

Mr. HARWOOD hoped the bill would provide that every lot of land, that did not come under the Cadastre, should be designated by a number, and the name of the Township. Without such an arrangement the country would not derive any benefit from the proposed amendment of the Registry laws. All parties having claims against such lots, should be called upon to register their claims and specify the number of the lot. Without these securities against charges or incumbrances, purchasers would fear losing their property, by licitation or sheriffs sale.

Hon. Mr. SICOTTE knew that perfection in legislation was impossible, but he thought a good bill might be made from the ascertained results in England and the United States. He would examine the bill, presented by the Hon. Atty. Genral East, and give it his best and an impartial consideration. (Hear.)

The Bill was read a first time.

AID TO CANADIAN LINE OF STEAMERS.

Hon. POSTMASTER GENERAL moved for the adoption of the report of the committee of the whole on the bill granting additional aid to the Canadian line of Steamers, and extending a telegraph line to the Straits of Belle-Isle.

Hon. Mr. SICOTTE moved that the report be not adopted, but be referred back to the committee of the whole, for the purpose of adding the following amendment: "That the steamers employed in the postal service, under the new arrangement shall not be less than 2,500 tons burden, and at least of 500 horse power; that the contractors for the service shall lay before the House in January, every year, a statement of the receipts and expenditure of the company, under oath of one of the contractors; that if the contractors wish to give up the contract they shall give twelve months notice of such intention, and that thirty days after such notice the Postmaster General shall call for new tenders by public advertisement. That it shall be the duty of the Postmaster General to stipulate in his contract for the necessary conditions and arrangements to secure efficient service, regular passages and the safety of the passengers, so that nothing be left to the discretion of the contractors, as regards such arrangements as are essential to the interests of the public." He thought this amendment could not be objected to; it only protected the country against the possible indiscretion of the Government, and stipulated for the efficiency of the service they were paying for. He had been informed, that since 1859 the Steamship Company had been

paying a dividend of between 20 and 30 per cent., and that the present owners had purchased at a great premium, the shares of the other shareholders; and they knew better than anybody else whether it would be profitable or not in future. Now, the annual statements of receipts and expenditure, would inform the Government whether the subsidy was really necessary or not. If the line were profitable in itself, the subsidy might be withdrawn; if otherwise, the Government would be entitled to ask an additional subsidy. There was not one item of the amendment hostile to the enterprise; it was only intended to make it secure, and to limit the power of the Government. The late accident had been attributed chiefly to want of proper management, and an injudicious selection of parties entrusted with the vessels. This amendment would bind the contractors, not merely to carry the mails, but to carry them in a certain way. As things were, too much was left to the contractors. The interests of the public, whose money was to be expended, rendered it absolutely necessary that the conditions named in the amendment should be enjoined on the contractors. He trusted there would be no objection to this recommendation.

Hon. SYDNEY SMITH said that as he understood the amendments of his Hon. friend, they would leave no discretion at all in the hands of the contractors. As to the first proposition of the Hon. gentleman, that all the ships should be 2,500 tons burthen, it was next to useless, as the contractors were to furnish vessels at 2,300 tons burthen. The next proposition, that the steamers should all be 500 horse power, might mean anything or nothing. The present ships of the line were 350 horse power, and could if necessary be worked up to a far higher speed than that mentioned in the amendment. Again as to the efficiency which the proposed amendments sought to secure, he could assure his Hon. friend that it was the intention of the Government to limit the duration of the voyages during the Winter and the Summer to an average time. One of the amendments was to the effect that the contractors should furnish yearly statements of the working of the line under oath. This could never be carried out. If the contractor, were not known, there would be some excuse for such a motion. But when they were well known—when they had performed their duty well up to the present—when they had done more, and voluntarily increased the efficiency of their vessels both in comfort and speed; there was nothing to call for such a motion, and it was treating them very badly indeed to make it. Apart from these considerations it would not do to enforce such a motion as the present. It would perhaps ruin the credit of the company, and the line of steamers would be broken up. There was no necessity for any of the amendments offered by the Hon. gentleman. If the contracting parties had failed to meet their former engagements, there might perhaps be some excuse for them, but when they had acquitted themselves to the satisfaction of the

country, where was the use of them? The contractors were either honest or dishonest men. If they were honest, then the House ought to believe them; if they were dishonest—the House ought to have nothing to do with them! It was also charged against the present contract, that it was not specific, and the Hon. gentleman proposed to make it more specific. The present contract was specific. It was in fact a yearly contract, for according to its terms it could be put an end to by giving six months' notice. According to the Hon. member for St. Hyacinthe, neither the contractors nor the party with whom they contracted could have the least confidence in each other. As he before stated it was the intention of the Government to fix an average speed within which the steamers would have to perform their voyages—and as far as his opinion went, that average time should not be less at all events than that within which the Cunard steamers performed their voyages. This was a matter, however, that must be left to the Government of the day or the majority of the House to determine. There was one point, however, on which the Government were determined, and that was to have ample accommodation for the mails on board those steamers. The Government should also have it in their power to change the destination of the steamers. The Postmaster General should have power to make such postal arrangements as seemed best to him to carry on the service in an efficient manner. Again he would remind the House, that the proposed amendments would have the effect of taking all power of discretion out of the hands of the contractors and placing it in the hands of the House—even to the internal management of the vessels and the officering of the ships. As far as possible the contract with the Canadian line should be the same as that which existed between the British Government and the Cunard line. At the same time, he would say that under the Canadian contract the Province would have better vessels than the Cunard line—for it was well known that some vessels of that line were not first class, while all the vessels on the Canadian line would be first class. In conclusion he did not think it reasonable or just for the Hon. gentleman to make such amendments. They were of a character never met with in any contract in the world—and he hoped that his Hon. friend would not press them, but withdraw his motion. He knew that his Hon. friend had the interest of the Canadian line of steamers at heart, but he assured him that he would only injure the line by persisting in his motion, and he hoped that he would withdraw it. With reference to that part of the contract which provided for the payment of the contractors from the first of May last, he would propose before the night was over an amendment to the effect that the line should only get as much as they had earned from the first of May last, which would tie up the hands of the Government. Again he would ask his Hon. friend to withdraw his motion—for he assured him that it could not be carried without effecting the stability of the line, and perhaps destroying it.

Mr. W. F. POWELL said that the Postmaster General had on this and every other occasion when this subject was up bebuffed the Canadian Steam line in a most extraordinary manner. In the face of the late melancholy shipwrecks, he (Mr. Powell) could not think this was justifiable. The Postmaster General complained that his proposition was not properly received. Now, he (Mr. Powell) must say, as an independent member of the House—(Hear, hear,)—that the course pursued by the Opposition on this occasion was very liberal and very generous, and that the proposition of the Government had been received both by the House and the country in a manner which ought to be considered perfectly satisfactory. With regard to the amendment submitted by the member for St. Hyacinthe, his opinion was that nothing would tend more to the advantage of the country than its adoption. It might be all very well for those who, like himself, had a certain degree of confidence in the Postmaster General, to say that, as far as he (the Postmaster General) was concerned, it was unnecessary to have all the details of the arrangement in black and white. But those who had not that confidence—people in England and on the European Continent, who knew nothing of the Postmaster General, or the Commissioner of Public Works, perhaps never having even heard of the latter minister—would require some better guarantee than the mere confidence of a majority of that House in the discretion of those Ministers. After all, even those who had such an exaggerated notion of the discretion of the Postmaster General, did not think that all wisdom was concentrated in him. Therefore, he was disposed to agree with the member for St. Hyacinthe, that a standard should be laid down by the Legislature, and that the Company should be required to furnish an annual statement of their affairs. Such a statement was absolutely necessary, if the House and the Government were to be informed of the necessity of continuing, or increasing or decreasing the subsidy.

The Hon. COMMISSIONER OF PUBLIC WORKS appealed to the Hon. member for St. Hyacinthe, to withdraw his motion. The effect of its adoption, he felt satisfied, would be destructive of the whole enterprise—a result the very reverse of what the Hon. gentleman desired. More was required by it than could possibly be performed. Why, the new Cunard contract did not require that the vessels should be of more than 400 tons burthen; and it was well known that the Imperial Government were induced to renew the contract, and to give the subsidy of £200,000 sterling, on the assurance that new vessels of greater power than any which traversed the ocean would be built. Why, then, should they require the vessels to be of 500 horse power? The amount of subsidy to be paid by the Company, would not pay the cost of 15 voyages across the Atlantic. Two hundred thousand a year would not keep up the enterprise. The Company must so conduct their affairs as to enlist the sympathy and command the confidence of the public. Unless they could do this,

the line would go down. It must be made the most popular line between Europe and America, and the amount of subsidy was not sufficient to ensure their running, unless this were done. What course had the Admiralty taken with regard to the Cunard contract? They had only inserted one clause, that all the latest discoveries in science should be adapted to the ships; and this clause the Postmaster General here was inclined to put it into our contract too. There was another part of the amendment of the Hon. member for St. Hyacinthe which, if adopted, would quite put a stop to the enterprise. It was that which provided that the Government might terminate the contract at twelve month's notice. This subject had engaged the attention of people at home, and Mr. Cunard had given, as a reason for extending his contract over ten years more, that unless it were done, he would not be able to induce his co-partners to embark so comparatively small a sum as £250,000 in building one single new steamer. And the French Government proposed, but a few years ago, to subsidize a Transatlantic line for twenty years, unconditionally. The losses of the last year, even, would have been sufficient to injure the credit of even very wealthy people, and the caution of the contractors, now exhibited, was one of the best guarantees for the faithful fulfilment of their undertakings. (Hear.)

Mr. WALLBRIDGE thought the amendment was equivalent to a vote of want of confidence in the Government. (Hear.)

Mr. J. CAMERON thought there was nothing unreasonable in the proposition that persons who wished to cross the Atlantic, should not have small or inefficient vessels thrust upon them, nor in the suggestion that the Company should be forced to make yearly returns of the statement of their affairs. He thought the caution now recommended, was very desirable. Now, as to the alleged impossibility of a wooden ship being economically worked with a screw, let the Hon. Postmaster General just look at the British Navy? There he would discover his mistake. He would not attempt to detract from the credit due to that minister for his resent arrangements for the carriage of foreign mails; but there was every reason why, even in opposition to his wishes, the country should insist on security, speed, and economy, on the part of the steam line it subsidized.

Hon. Mr. CAUCHON thought this proposition exceedingly unjust towards those who expressed their willingness to go into this eminently Canadian enterprise. The amendment, as written, meant that the new boats should be of 2,300 tons, and 500 horse power, and that all the others should be swept away. There was only one thing reasonable in the whole motion, which was that the steamers should be as efficient as possible. Now the Finance minister had said the new boats were to be as efficient as those of any line running across the Atlantic.

Hon. Mr. GALT—Certainly.

Hon. Mr. CAUCHON—The Government would of course look after this.

Hon. Mr. ROSE—Of course. He would just mention the tonnage of the Cunard boats. The *America*, 1729; the *Niagara*, 1774; the *Europa*, 1777; the *Canada*, 1774; the *Africa*, 2050; the *Asia*, 2073; the *Arabia*, 2328.

Hon. Mr. CAUCHON—So that, with the exception of the *Persia* and the *Arabia*, our liners were as large as those of the Cunard line. We had commenced with larger boats than the Cunarders. Was it likely we should go back? Was it likely that even the Company would recede, much less that the Government should allow it? (Hear.) As to the power of cancelling the contract, sought to be thrust on the Government; what would its effect be? The Company would, of course, have to go to the London money market for aid—their private means were not sufficient to build the vessels they intended to have—they would take their contract with them, and did any business man mean to say, that if people saw it could be cancelled at one year's notice, they would risk their money in the enterprize? And the power of the Government to make all these stipulations was undoubted. They ought to be allowed to act on their own responsibility, without a vote of the House to force them to do what might be, nay, was injurious. (Hear.)

Mr. TURCOTTE said the contractors had already shown what they could do, and had indicated what they were willing to undertake to do hereafter. They proposed to build larger vessels than any they had yet employed, and to attain a higher speed. What the Government on its part should see to was, that the Company kept a sufficient force to meet their engagements, and this could only be a matter of supervision, not of law. As to laying aside the contract at the end of a year, or after a year's notice, such a course might be well enough in an experimental stage, but we had passed that stage and were now in a position which required that we should put the enterprize upon a firm and permanent basis. Indeed, he would desire that neither the Company nor the Government should be able to disturb the agreement for the whole term, while the conditions on either side were fulfilled. He would, however like to see the time to be consumed in each trip determined with precision, and with the experience already acquired, this he thought might be done. He could not see anything in the proposition to claim his support, and he would therefore vote against it.

Mr. McDUGALL thought that the more prudent course was that proposed at first, to refer the matter to a Committee. His Hon. friend (Scotte) had proposed an amendment relating to horse power, tonnage, and other scientific questions, which could only be understood by persons versed in such things; but he himself would propose one which he thought more to the purpose. He agreed in one thing, however, with the Hon. member, and it was that the discretionary power of the Government should be carefully limited, and that the House should as carefully keep the controul of the expenditure.

We had to vote the money, and before we did so, should have all the facts so as to be able to do so intelligently. It was alleged that the subsidy was insufficient for a weekly line, but he was not convinced that a weekly line was an absolute necessity. Since it had been weekly it had not brought more freight or more passengers, and where was the use of continuing it. As to its being calculated to draw down the Western produce through Canadian channels, he did not believe it would ever do this. He would now move—That the said resolutions be not now read a second time, but that said Bill be referred to a select Committee of nine members, with instructions to enquire into and report as to all the circumstances attending the several contracts between the Government and the said Steamship Company, and the probable results of the proposed increase of the annual subsidy, the efficiency of the steamers employed, and the propriety of any modifications of the conditions of the new contract, with power to send for persons, papers and records.

Hon. Mr. GALT said this was not an admissible amendment, as a similar one had been rejected at a previous stage.

Hon. Mr. BROWN contended it was, and that such an amendment might be proposed at every stage of the Bill.

Hon. SIDNEY SMITH would submit the question as to whether it was admissible to the Chair. After some time spent in debating the point of order,

The SPEAKER ruled that the motion, though similar in part to the amendment already negatived, contained several additional particulars, and therefore might be put.

Mr. DUNKIN said, the object of the amendment was so to postpone the Bill as to cause it to go astray. The Hon. member for North Oxford asked, what was the object of the weekly line of steamers; what was the necessity of continuing it; was it merely to secure the trade of the Western States to the St. Lawrence? The object of this Bill was to build up the trade of Upper and Lower Canada, to give all Canada something to do, to unite the interests of all sections of the Province; and was not this an object worthy of being attained, even at a far greater cost than that of this subsidy? (Hear.) If the object of the amendment was to get other people to come forward and make counter-tenders, to get Committees of the House to enquire whether other contractors could not do better than these had done—and if the majority of the House thought this should be done—why, the sooner it was so understood, the better. Let its mover say so, openly. But he thought, that to defeat the Government was the essential part of the policy, and it was just as well, too, that this should be known, for it was better that they should see what the strength was of that wing of the Opposition force led by the Hon. member for St. Hyacinthe (Hear.) He might be allowed, perhaps, to make a few observations on the motion of this Hon. member—although he was just as much opposed to the one amend-

ment as the other, since their real meaning was the same. The first part of it was, that the House should not concur in the resolutions, but should send them back to Committee of the Whole, with a view to certain specific changes. Now, if the House voted that it would send the Bill back to Committee, with a view to making certain changes, it clearly pledged itself to make them. (Hear.) And what were they? One was, that a clause should be inserted in the Bill that the steamers must be of 2300 tons burden, and of 500 horse-power. *Cui bono?* We had steamers already within a few tons of the number required—within a little of the horse-power required. And different builders rated horse-power very differently; so much so, that it was very difficult to say how much horse-power any engine had. Indeed, the only practical test of this was the performance of the vessel. If the ships did the work contracted for, that was all that need be looked to. It was a mistake to say that increase of power increased speed. Speed was the result of size, form, and power—the nominal power alone of the engine had little to do with it. (Hear.) The question as to the proper proportion between tonnage and horse-power was, moreover, for the contractors and builders to determine, not for the Legislature, composed as it was of men who for the most part knew nothing about it. (Hear.) This point was, however, of much less importance than the rest, because we had already brought our ships almost up to the required mark. We had done this, too, much faster than the Cunard Company. They carried on operations for several years before they built the *Cambria*, in 1846. That was a vessel of 1314 tons. In 1852 they built the *Europa*, which was only brought up to 2328 tons. We had got up to 2250 already. There was no practical danger whatever, that the contractors and the Government would not go on increasing the size of the boats, so long as increase in size was of any use; though it ought to be remembered, that some ships might be built too large to pay, and which would require a subsidy much greater than the one proposed. Our subsidy was, perhaps, large in proportion to our revenue, but it was not large as to the remuneration it gave to the contractors; not large when compared with the subsidies offered by other authorities for similar and similar services. (Hear.) The next part of the amendment went a great deal further. The contractors were to be made to render yearly, to the Government, a return of all their intrusions. That was, perhaps, not objectionable at first sight, but it appeared so, when viewed in connection with the next clause, which was, that the Government, as well as the contractor, might cancel the contract at one year's notice. No contractors, having any regard to their own interests, would enter into a contract on such conditions. How did the case stand? Government had to find contractors in whose capacity and energy they had confidence,

they had to insist on a sworn statement—sworn as if to insult them—and if they found that in any lucky year the Company made eighteen or twenty per cent., down they were to come, give a year's notice, and close the contract. (Hear.) But then, within thirty days notice, fresh tenders were to be called for; it must be done. And this was after having excluded from the service, by the terms of the amendment, all steamers which were not of 2300 tons and 500 horse-power—that is to say, after having excluded all the existing class of steamers! (Hear.)

Hon. Mr. SICOTTE—The present contract has to run until 1862.

Mr. DUNKIN—Yes; but it could be terminated at six months' notice. And did Hon. members think that, if this motion were carried, the notice would not be given? The contractors would be fools if they withhold it. [Hear.] He would now look at the amendment in another light; it really declared that the duty of the Postmaster General should be to do his duty, for had he not authority of himself to make all the requisite stipulations? He, therefore, saw no use in it. The proposition actually called for a Legislative enactment to offer an impossible contract to their contractors, and that in terms which declared that the House had no confidence in Ministers properly discharging their trust. [Hear, hear.] If carried, the motion would absolve Ministers from all responsibility, after they had seen that steamers of the given tonnage and horse-power had been built. Now, this he did not approve of. He had confidence in the Ministry. [Hear.] He had more confidence in them, at any rate, than in a Committee the House might strike. And he wished the full responsibility of their acts to devolve upon them. Of course, holding these views, he would vote against the one amendment, and then against the other. [Hear, hear.]

Mr. J. B. ROBINSON had been in favour of the resolutions granting an increased subsidy, until his Hon. friend from North Oxford, had earnestly assured the House that such an appropriation would be a great injustice to Upper Canada. In consequence of hearing these opinions, he had not voted for the subsidy, under the impression that Upper Canada had not a sufficient interest in the Line, to warrant her in supporting it at so great an expense. The resolution of his Hon. friend from Toronto, had however, been intended to destroy and injure the Line, and he therefore voted against it. Now, he was in a different position, and could conscientiously tell the Government that he thought it a most unbusiness like proceeding to ask Upper Canada to vote £50,000. (Hear, hear.) The Commissioner of the Board of Works had stated that the English Government had no suspicion of the Cunard Line when they first granted a subsidy, and said that, therefore,

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Friday, March 16th, 1860.

AID TO CANADIAN LINE OF STEAMERS.

(Concluded from our last No.)

we should have no suspicion of the Canadian Line. But many of the best men in England thought the Government went too far in giving the Cunard Line an increase, without having an investigation before a Committee of the House of Commons. As far as the Canadian Line was concerned, he (Mr. Robinson) had no particular suspicion of their management, but we could not help having some doubts of what was untried in such matters. The late losses in that Line had convinced all that there must have been something incomplete, or something wrong in the management of those unfortunate vessels. It had been said that the sum of £100,000 was nothing at all in the management of this Line, and would only go towards paying for some fifteen voyages. But that sum was a great one to this country, and if it was of so little consequence to the managers of the Steamships, and of so much consequence to us, that was only a stronger argument why a Committee should be appointed to investigate the matter before the money was appropriated. Those who delayed the Bill a little, by wishing to know just what was to be done with the money, were reproached with indifference to the welfare and interests of the country; but, in reality, they cared more for the interests of the country than those who were less cautious; they wished to be able to show clearly to their constituents why the money had been granted, and what the benefits were to be. It would have saved many reflections against the character of the line, if the Administration had allowed the Bill to go to a Committee, and the report of that Committee would have been the most satisfactory account of how and why the money had been granted. He would therefore vote for the amendment introduced by his Hon. friend from St. Hyacinthe.

Mr. SIMPSON said the Hon. junior member had said a great deal in favor of referring the subject to a Select Committee, yet he expressed his intention of voting for the amendment of the Hon. member for St. Hyacinthe, which did not contemplate a Select Committee, and did not say a single word in favor of it. Now he (Mr. Simpson) must say, that of all the discussions which he had ever listened to, he did not remember one in which so much nonsense was uttered, as in the present one. (Laughter.) With regard to the proposition of the Hon. member for St. Hyacinthe, he thought it was unworthy of that Hon. gentleman, and he was astonished it should be persisted in after the unanswerable arguments which had been used against it by Hon. gentlemen who had spoken. As to the appointment of a Select Committee as first proposed by the Hon. senior member for Toronto, that Hon. gentleman had, himself, expressed his sense of its absurdity by his vote the other evening. Of what possible use was a Committee? A Committee of nine members of that House could not elicit more information than the members of the Government, on whom devolved the duty of eliciting information before taking the responsibility of recommending any action to the House. That information they had obtained and imparted to the House, and he could, therefore, only regard the conduct of Hon. gentlemen as factious. The Postmaster-General had entered into an agreement for the performance of certain services, which, it was estimated—and it was a moderate estimate—would produce £75,000. This would make the subsidy only about £30,000. And there was the probability that, in the course of a year or two, not only would the whole \$104,000 be made good, but there would actually be a surplus. As to requiring the Company to furnish a statement of their receipts and expenditure, so that the public might judge whether their business was profitable or not, he thought it would be hardly fair. They did not require the Banks to state to the country their profits and losses. Then why should such a thing be asked of this Company?

It was asking what no contractor would consent to grant.

Mr. McGEE said if it was nonsense to ask for information before voting \$104,000 for seven years, and a portion retrospectively, he was quite ready to bear the reproach cast upon Hon. gentlemen who asked for a Committee by the Hon. member for Niagara. The members on his side of the House were just as ready as any on the other, to support the Line, but they wanted more information than the Government had given, or than had been elicited and dragged out during this discussion. The Postmaster-General stated the Company had embarked £750,000 in the enterprise, but as there were only six vessels, which were not worth more than £60,000 each, he would like to know how this calculation was made. Here, then, was an error of more than £300,000,--one of such a character as to lead to the suspicion that there were many others. The Postmaster-General, too, had said that screws could not be applied to wooden vessels; but he (Mr. McGee) had the authority of Lloyd's Surveyor at the port of Quebec, for saying that iron ships were condemned in the British navy, and that old wooden vessels were being cut down, and made into screw steamers. This was not only the experience of the English, but also of the French navy, and when this was no impediment in the structure of the vessel, the screw could be successfully applied to wooden ships. He had moved his amendment the other evening, because he was sincerely of opinion that the Legislature should do all it could to encourage ship-building,--one of the great trading interests of the country,--and he called upon all members from the district of Quebec who were not tied to the chariot wheels of the Government to vote for a Committee, which, if attained would, before the end of next week, enable every member, by the information it would elicit, to give an honest vote on this question.

Mr. DUBORD was ready to support the Line of Canadian Steamers, but would to not vote one copper of subsidy until the House was put in possession of information which would enable Hon. members to judge whether the statements of the Government and the Company were correct.

Mr. HOLMES wished to know what benefit Canada could derive from a line of telegraph to Labrador.

Hon. POSTMASTER GENERAL replied that not only would Canada, by putting the continent in possession of the latest news from Europe, be brought into more notice, and the superiority of the St. Lawrence Route be more fully demonstrated, but that letters would follow news, passengers would follow letters, and freight passengers, so that this should eventually be the favourite highway of communication between the old world and the new.

Hon. Mr. CARTIER said, the Hon. junior member for Toronto had said he was not disposed to charge upon Upper Canada the additional £50,000, requisite to put the Company in the condition of efficiency which was desira-

ble, but he seemed to forget that Lower Canada would bear its share of the burden. Surely Upper Canada was not only interested in this question, and he rather thought that Lower Canada had marine interests which were worthy of some consideration. This country would not always be dependent upon Portland as a winter sea-port, for it was more than probable that before long, we would have one of our own. And then the communication would soon be open with New Brunswick and Halifax, when we would reap greater benefits from the Line than it had even yet conferred upon us. Few, if any members, denied the necessity of aiding the Line, on the contrary, they seemed to have kind words for it on their lips, but enmity in their hearts. However, it was not perhaps so much to the Company, or to the proposed subsidy that they objected, as to the proposition of the Government, simply because it originated with Government. The various amendments were, in fact, but semi-motions of want of confidence, when they had not the courage to propose a direct motion to that effect. They knew the Government was fully ready to meet a direct vote, but, that of course, would not do. As to the proposition of the member for North Oxford, it was just what might be expected from him, for he had made up his mind that the Union should be dissolved, and he had done all he could to poison the minds of the people of Upper Canada against Lower Canada, and everything that was done by the Government. He hoped the friends of the Government would understand the design, and treat it as it deserved.

Mr. A. P. McDONALD held that after the question had been negatived, it should have been regarded as settled. There was no fraud alleged against the Company, and he did not see what investigation was wanted into its affairs. Government had more interest in the country than 9 members of a Committee, and upon them devolved the responsibility of carrying on its affairs. If the House wanted to put the country where it was 40 years ago, they would send this matter to a Committee, for it would not come back for three weeks. But supposing the Committee reported against the proposition of the Government, would the House accept their report? Of course not, for the country could not do without the Line, and if it were given up, what encouragement would it afford to others to establish another. He believed none other would be formed, for capitalists would never invest in an enterprise which was liable to be swamped, in this way, at any moment. He thought the advantages we derived from the carriage of the mails, sufficiently compensated for the money that was paid the Company.

Hon. FINANCE MINISTER said, he was glad the Hon. member from North Oxford had renewed the motion, because the country would know which of the members of that House were disposed to favor this enterprise, and which were willing to let it go down. With an honesty and candor he could not help admiring, the Hon. member for North Oxford, had expressed

his desire that the line should be broken down, (cries of "No, no") and his opinion that no object would be gained by granting additional aid to it. The Hon. gentleman from North Oxford knew perfectly well, that the effect of his amendment, if accepted, would be to prevent the Government from carrying out their object. The enterprise had been fostered by the country, and was now taking its proper stand before the world; but if the Hon. gentleman could carry his motion, they would see that promising enterprise stand like the girdled tree, to fall before the first blast of Winter. With regard to the motion of the Hon. member from St. Hyacinthe, that gentleman must see, that to insist upon putting into an Act of Parliament, certain stipulations, would, in fact, relieve the Government from all responsibility as to what was left out. [Hear, hear.] Under the system upon which legislation was carried on in this country, the Government was responsible for the way they carried out the wishes of the House, as manifested in the Acts of Parliament. If the Government could not be trusted in the mere arrangement of the details of a contract, there was certainly little confidence in the Administration. If the Ministry were unfit to carry out such a matter, it was certainly clear that they were very unfit for the position they occupied. But there were already provisions in the contract similar to those proposed. The tonnage of vessels, and their horse-power, was required to be nearly as great as that suggested by the Hon. member for St. Hyacinthe. It was also in the power of the House to abrogate the contract, if there was a failure in its performance, or any other sufficient reason. Did the Hon. gentleman wish more than that? No Company would take a contract, if it could at any time be abrogated without any reason. If there was any argument to be drawn from the past, it was, that the contract had been well and faithfully fulfilled. All necessary stipulations would, unquestionably, be embodied in the new contract, in order to prevent the public from suffering through its non-fulfilment.

Hon. Mr. BROWN was astonished to hear such language from the Inspector General. Judging from it, it was not a mere money issue that was before the House—it was a Government question, on which Hon gentlemen were called to vote, not on the merits of the case—so that all the fine speeches made on the other side were, after all, all sham. Hon gentlemen on his side of the House were told that they wanted to break up the line, forsooth, because they did not vote as the Hon. Inspector General wished them to vote. This state of things had been carried to a degree that was intolerable. Hon gentlemen were told that they were insincere in their professions of interest in the welfare of the Canadian line, simply because they asked for an enquiry into the management of the line, before voting away a large sum of money. Why, Hon gentlemen, who supported the Government, had acted in this manner—and would the Govern-

ment say that the member for Toronto was insincere because he acted thus? But it was not on this question alone that the Government acted in this shameful manner. It was upon all questions. It was in carrying out the same spirit that the public debt was increased, that disquiet was in the public mind, and that a change in the constitution of the country was so imperatively demanded. The House was asked to shut its eyes in this matter, and to believe implicitly what the Government told them. That was the position it was in. And what was it that enquiry was refused upon? It was a matter involving £49,000 for eight years. The Hon. Inspector General said that, indeed, this was an executive act—but it was not. It was a legislative act. It was made a Legislative Act last Session—and yet, now, the House was told that it must not make any enquiry into it. The House is told that the Ministry believe in themselves—and that therefore it is all right. If such a state of things was to be carried on, it was time for Hon gentlemen to leave the House altogether, and allow the Hon. gentleman [Mr. Galt,] and his friends, to have it all to themselves. The ministry have made the demand for the enquiry into a question—not whether it was right or wrong, but of a vote of want of confidence in themselves. The House was not called upon to vote upon the merits of the question—but they were called on to say whether they would turn out the Ministry or not. Surely it was high time for such conduct to be put an end to. The Hon gentlemen on the other side say that, to grant the Committee of Enquiry, would be to destroy the line of steamers by the delay that must ensue before the Committee could report. He (Mr. Brown) denied this. If the Committee had been granted when first asked for, it would have now terminated its labors. Why was not the same course pursued with regard to this measure, that was followed with regard to the Bankrupt Law? The Government did not hesitate to throw the onus of this measure on a Committee. The House did not want to have the onus thrown upon it; but the Government did, and put the matter in the hands of the Committee accordingly. But the conduct of Ministers, not only in this matter, but in everything, was the same. And if the House was prepared to follow the dictation of those Hon gentlemen, the sooner that system of Responsible Government was at an end, the better.

Hon. Mr. FOLEY said that the conduct of the Ministers was the natural sequence of responsible government. So far from it being the sequence of responsible government, it was the perversion of responsible government. If the ministry followed out the principles of responsible government, they would never act in the manner that they were doing at present. They would never ask the House to consent to such a line of conduct—as they had done—but a very different system would have prevailed. Hon gentlemen on the other side, were not carrying out responsible government—they were on the con-

trary, by their conduct, assisting those Hon. gentlemen in the House who were agitating for constitutional changes. If they desired to carry out the views of the Hon. member for Toronto, (Mr. Brown) with regard to those changes, they could not do it better than by following their present course, so opposed to responsible government. It was absurd to say that the conduct of the Ministry was the result of responsible government. It was totally opposed to it.

Hon. Mr. BROWN said his Hon. friend (Mr. Foley) must have made a great mistake, for he (Mr. Brown) endorsed everything he had just said.

Hon. MALCOLM CAMERON would not vote the Supply until the House had the enquiry.—The Hon. Inspector-General evidently wanted to lash the House into his way of thinking, and he (Mr. Cameron) would protest against such conduct. The House had a perfect right to the enquiry. It had a right to know everything connected with the working and management of the line of steamers which were supported by the public money. But the Ministry come down, and say that it is all right. That they know better than the House, and that no enquiry is to be made. The word of the Ministers must be taken for gospel, and all enquiry forbidden. He, for one, would not submit to such conduct, and would vote against any money being granted until the enquiry was granted.

Mr. ROBLIN was amused to hear Hon. gentlemen on the other side of the House, affirm that the Government had destroyed responsible government, because they stated that they would stand or fall by their measures. This interpretation of an attack on responsible government was something new and amusing.

Mr. WALBRIDGE ridiculed the idea that the Ministry represented the people of Upper Canada, as they pretended to do. The Inspector-General, for instance, represented Brockville, quite an insignificant place, and thinly inhabited. The Postmaster-General represented a small trumpery place also; while the Solicitor-General, from Upper Canada, represented no place at all, (laughter,) and yet the Ministry claimed to represent the people of the Province. The fact was that Upper Canada was altogether represented on the Opposition side of the House. He warned Hon. gentlemen that their constituents would demand a better response from them for voting their subsidy without enquiry, than that the Inspector-General had made it a test question, and they had to vote for a Ministry which represented Upper Canada. (Laughter.)

The House then divided on Mr. McDougall's amendment, which was lost.

YEAS:—Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Dubord, Ferguson, Finlayson, Foley, Gould, Gowan, Harcourt, Holmes, Jobin, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Patrick, Walker Powell, Robinson, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Wallbridge, White, Wilson, Wright.—43.

NAYS:—Alleyn, Archambeault, Baby, Beau-bieu, Benjamin, Burton, Campbell, Carling, Caron, Cayley, Attorney-General Cartier, Cauchon, Chapais, Cimon, Coutlée, Daly, Daoust, Desaulniers, Dionne, Dufresne, Dunkin, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Hébert, Labelle, Lacoste, Laframboise, Langevin, Laporte, Le Boutillier, Lemieux, Loranger, Loux, Macbeth, MacLeod, McCann, A. P. McDonald, McMicken, Meagher, Solicitor-General Morin, Morrison, Ouhmet, Panet, Playfair, Pope, Price, Roblin, Rose, R. W. Scott, Sherwood, Sicotte, Simard, Simpson, Sidney Smith, Starnes, Tassé, Tett, Thibaudeau, Turcotte, Whitney.—67.

Hon. Mr. BROWN said it was now quite sufficient for an Upper Canadian majority to ask for anything, however, reasonable, to have it refused.

Hon. Mr. CAUCHON replied, the question before the House affected the whole Province, and not Upper or Lower Canada only. The Hon. member for Toronto might roar as loud as he chose, and he could not alter the actual state of the question.

Mr. McGEE asked the Hon. member for Montmorency how far he could reconcile the position he now took with his favorite doctrine of the double majority.

Hon. Mr. CAUCHON—This is not an Upper Canadian, or a Lower Canadian question, but one which affects the whole Province.

Hon. Mr. FOLEY asked whether the people of Upper Canada were to be serfs of Lower Canada. He saw the Hon. member for Drummond and Arthabaska (Mr. Dunkin) smile at this remark. That was not surprising, any more than it was to hear the voice of that Hon. member continually raised in this House, on the side of tyranny and despotism. He recollected that it was the same voice which had been raised in favor of despotism, in the time of Lord Metcalfe, whose humble instrument that Hon. gentleman was. A time would come however, when the representatives of the people of Lower Canada would bitterly regret the course they were now pursuing.

Mr. DUNKIN did not think it worth while to notice the remarks of the Hon. member for Waterloo (Hon. Mr. FOLEY,) so far as they were personal to himself. But it was absurd to hear him talking about the tyranny of majorities, when, in point of fact, the division just taken shewed a vote of 35 members from Upper Canada, for a reference to a Committee, and 49 against it, while the Lower Canadian votes were 44 against and 8 for the amendment. The Hon. member (Mr. Dunkin) proceeded to read from the Toronto *Globe* of the 8th of March, an article in which it was said, that any expenditure in favor of Ocean Steamers was not only totally unwarranted, and was an absolute waste of the public money. That might be the view of a portion of the people of Upper Canada, but it was not the view of Lower Canadians.

Mr. FERRES said there did not appear to be any objections on either side of the House, to vote the additional subsidy. It was only as to the necessity for a Committee of enquiry into the affairs of the Steamships' Company, that there was a difference of opinion. The House had already struck a Committee, which would answer all the purposes desired by the supporters of the amendment.

Hon. Mr. DORION spoke in favor of an enquiry, he would suggest to the Hon. member for St. Hyacinthe to alter his amendment so as to send the Bill back to the Committee generally.

Hon. Mr. SICOTTE said he could not agree to the proposal. It was not usual to refer a Bill to a Committee without some instructions as to the amendments desired.

Hon. Mr. BROWN, apprehending that the ordinary mode was to refer the Bill generally, took the same view as the member for Montreal. (Hon. Mr. Dorion.)

Mr. GOWAN said it was ridiculous to hamper the Government with any directions as to the size of the vessels to be employed. Steamers of the tonnage desired by the Hon. member for St. Hyacinthe, would not be able to get to Montreal, and he did not see why the members from Upper Canada should vote for an amendment which would tend to destroy the trade of that section of the Province.

The question being then put on Hon. Mr. Sicotte's proposed amendment,

Hon. Mr. THIBAudeau moved, in amendment, that the said amendment be amended, by leaving out the words "with instruction to amend the same by providing and substituting the following, with power of providing."

YEAS:—Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Jobin, Laframboise, Langevin, Lemieux, Loranger, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Patrick, Walker Powell, Robinson, James Ross, Rymal, William Scott, Short, Sicotte, Starnes, Stirton, Thibaudeau, Wallbridge, White, Wilson and Wright.—45.

NAYS:—Alleyn, Archambeault, Baby, Burton, Beaubien, Benjamin, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Coutlée, Daly, Daoust, Desaulniers, Dionne, Dubord, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Gowat, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Laporte, Le Boutillier, Loux, Macheth, McLeod, McCann, A. P. Macdonald, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Pope, Price, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Simpson, Sidney Smith, Somerville, Tassé, Tett, Turcotte and Whitney.—65.

The question being again put on Hon. Mr. Sicotte's proposed amendment, it was negatived on a division.

The amendments were then read a second time, and agreed to.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 19, 1860.

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

After the usual routine business, the Orders of the Day were called; but, as Hon. gentlemen were not prepared to go on with them, they were postponed.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Quebec, March 19, 1860.

MEMBERS EXCUSED.

On motion, Hon. Mr. Sicotte was excused from attendance at the House for ten days, on account of urgent private business; and the same was done in the case of Mr. Hébert, on account of illness and death in his family.

RETURN—OTTAWA SHIP CANAL.

Hon. Mr. ALLEYN, laid on the table a return to an address on the subject of the Survey of the Ottawa Ship Canal.

QUEEN'S PRINTERSHIP.

Hon. Mr. BROWN rose to move resolutions declaring the expediency of abolishing the Queen's Printership, stating that the income of the Queen's Printer was greater than that of any other person in the Province—even the Governor General—that their profits in one year would suffice to buy up their whole establishment, and that the country would save very much by having the printing let out by tender, which was now done by Messrs. *Derbishire & Desherats*.

After some debate,

Hon. J. A. MACDONALD, suggested that, as the House could not fairly come to a decision without hearing the statements of the Queen's Printers themselves, the motion be, for the present, withdrawn;

The motion was, therefore, withdrawn, and its discussion fixed for Wednesday next.

INSURANCE COMPANIES.

Hon. Mr. BROWN moved, for a "Committee to inquire and report as to the general restrictions which should be applied to all Insurance Companies incorporated by Parliament." He stated, that, as the risks taken by Insurance Companies amounted to six, eight, or ten millions of pounds, the subject was one of great importance. As things at present stood, Companies sent agents round the country, who received money and sent back policies of a character which had not been imagined by those who paid for them.

Hon. Mr. GALT saw clearly that the people ought to be protected against fraudulent Insurance Companies, and that there were Companies in the business whose capital did not entitle them to be allowed to take extensive risks. In many of these cases, the public were, indeed,

themselves the best judges. Still, it might be desirable that the question of Insurance Companies should be considered in the House. There could be no objection to its discussion. (Hear.) It was not the intention of the Government to introduce any measure on the subject this session; yet, if the Hon. gentleman chose to proceed, this session, with his Committee, legislation might take place, even before the adjournment. It was very desirable that there should be some certain rules, as to the incorporation of parties doing business as insurers. It would be well to have some security, if this could be provided for by Legislative enactment.

Hon. Mr. BROWN—The House ought to get at the minimum amount of capital that should be allowed against a certain proportion of risks taken.

Hon. Mr. GALT—There was a great deal of difficulty with foreign Insurance Companies, over whom the Government had no control. If the House could prohibit them doing business here without their complying with our laws, it might be advantageous.

Hon. Mr. BROWN—We might drive them out, unless we took care.

Hon. Mr. GALT—We might certainly drive them out.

Hon. Mr. BROWN—Which would not be, in all cases desirable.

Hon. Mr. CARTIER—It would not be desirable to drive from the country those foreign Companies, such as some English ones, for instance. There were some respectable Companies which had no funds invested here, and if we were to make such provisions as to oblige them to hold a certain amount of capital in this country, it might be well. But this would have to be very delicately done, so as not to frighten away some of the good solvent Companies, of whose exertions we were reaping the benefit. He thought a Committee might very well investigate this subject, and enquire, generally, into the good working of Insurance Companies in this country, whether foreign, or incorporated in Canada. (Hear.)

Mr. STARNES was very glad to hear the opinion of the Premier. In the State of New York, the law was, that all foreign Companies should be obliged to invest a certain sum of money within the State. Now, in Montreal, the people were inundated with American Companies, some without any adequate capital. He knew there were several English Companies doing business there—indeed, he was connected with one—whose instructions were to invest in Canada. He hoped a Committee would be named. (Hear.)

The motion was deferred for a few days.

FREE GRANTS IN THE TACHÉ ROAD— COLONIZATION GRANTS.

Mr. FORTIER enquired of Ministers, whether it was intended to make free grants of all the lots on the Taché Road?

Hon. Mr. CARTIER replied, that part of the lots would be granted free; part not.

Mr. FORTIER also enquired of Ministers, whether it was the intention to increase the appropriation in favor of colonization?

Hon. Mr. CARTIER replied, that the Government intended to submit to the House the same appropriation which was made the year before last. [Hear.]

JUDICIAL DISTRICTS, &c., LOWER CANADA.

Mr. PICHÉ enquired of Ministers, whether they intend to levy a yearly assessment on the Municipalities in the Judicial Districts existing before the passing of the Judicature Act of 1857, and particularly on those in the District of Montreal, for the maintenance and repairs of the Court House, and Prisons, within the same?

Hon. Mr. CARTIER replied, that under the Act of 1857, a fund was established for paying for Juries and buildings. It was the intention that Petit Jurors in Lower Canada should be paid as they were in Upper Canada. [Hear.] It was not the intention of the Government to oblige the Municipalities to provide for the support of the prisoners. In Montreal and Quebec, the case was different, since the Government had given over to the Corporations the fees from the Recorders' Courts.

Mr. PICHÉ enquired of Ministers, whether they intend to oblige the Judges of the Superior Court to reside in the District assigned to them, to exercise their functions therein?

Hon. Mr. CARTIER—Certainly.

Mr. PICHÉ enquired of Ministers, why the Hon. J. C. Bruneau, Judge of the Superior Court, to whom the two Districts of Joliette and Richelieu have been assigned for the exercise of his functions, is allowed to reside on the south shore of the St. Lawrence, notwithstanding the fact that only two of the six counties constituting the said two Districts are situated on that side of the river; and also, whether it is the intention of the Government to direct the Judge of the Superior Court, to whom the said Districts are or may hereafter be assigned, to reside on the north side of the river, within the said Districts?

Hon. Mr. CARTIER replied, that the Hon. Mr. Bruneau had been directed to reside in Sorel. One of the reasons was, that Sorel was the most important place in the Districts. It was not the intention of the Government to make any change in this respect.

CONVEYANCE OF MAILS TO BERTHIER.

Mr. PICHÉ enquired of Ministers, whether it is their intention to grant the petition of the principal inhabitants of Berthier, presented to His Excellency on the 7th March, inst., to secure the daily conveyance of the mails between the village of Berthier, the city of Montreal, the village of Industry, and the village of l'Assomption?

Hon. Mr. SMITH replied, that the subject was under consideration.

WELLAND CANAL DAMAGES.

Mr. SIMPSON moved for an Address to His Excellency, praying that provision may be made to compensate the parties whose property was destroyed in the month of June last, by an overflow of water, caused by the breaking of one of the lock gates on the Welland Canal. He stated the circumstances under which the accident took place, and the amount of damage sustained by different parties. He thought, as the accident had occurred on a government work, the parties suffering loss had a claim on the Government for damages.

Hon. Mr. ROSE explained that the accident had not occurred through any fault of the officers or servants of the Department, but solely through the carelessness of those on board the vessel. He therefore did not consider the Government responsible for damages to property in the neighbourhood.

Mr. McMICKEN thought the Government to blame. There should have been a guard lock at the point where the damage occurred.

Hon. ATTORNEY-GENERAL WEST thought the Government not responsible for the loss to private parties. But the matter should be decided by the Board of Arbitrators.

Mr. SIMPSON complained that the vessel causing the accident had been sold, and the proceeds devoted solely to the payment of damages to the Government. He was of opinion that all the sufferers should have shared alike.

Hon. Mr. ROSE would be happy to have justice done to all, but the subject should be brought up in a different form.

Mr. SIMPSON temporarily withdrew his motion.

UNIVERSITY.

Hon. Mr. CAMERON moved that the following gentlemen be appointed a Committee to report on the expenditure of the funds of the new University. — *Messrs. Cameron, Foley, Wilson, Cayley, Roblin, Simpson, McCann, and Hon. Attorney-General West.*—Carried.

MUNICIPAL LOAN FUND.

Hon. Mr. DORION moved an Address to His Excellency, praying him to cause to be laid before the House, a statement of all the debentures issued on the Municipal Loan Fund in Lower Canada, since the 4th of May last, and of the hundred thousand pounds appropriated by an Act of last Session.

Hon. Mr. GALT said the whole amount had not yet been distributed. \$147,000 yet remained. No advances had been made.—Carried.

LAW REPORTS—L. C.

Hon. Mr. DORION moved an Address to His Excellency, praying him to cause to be laid before the House a statement of all the expenses connected with the publication of the Judicial Law Reports of Lower Canada, since their commencement, the amount raised in each district for the Special Fund, the number of subscribers in each district, and the names of the persons employed as reporters, and their salaries.—Carried.

CHARTERED BANKS.

Mr. STARNES moved that the clerk do procure a return from every Chartered Bank, in which the stockholders are directly or indirectly responsible to its creditors, beyond a specific sum or sums, they may have severally subscribed and paid in for Bank capital, as such shareholders, stating the name and place of residence of each stockholder, in every such Bank, with the number and nominal value of the shares severally held by him, her, or them; or, if held in trust, for whom so held? The Hon. gentleman stated that one of the objects he had in view by his motion, was to prevent a recurrence of such failures as: those of the International and Colonial Banks at Toronto, by showing to the public the number and standing of the resident and non-resident shareholders. A similar motion had been made last year—but the return, although made, was not printed. He hoped that the present return would be printed.

Attorney-General McDONALD, in giving his consent to the motion, reminded the Hon. gentleman that the Government had not the power to compel those returns to be made. As to the International and Colonial Banks, no bank would hesitate to make fraudulent returns that would follow their example.

Hon. Mr. BROWN would like to know if the Government had the subject of the Chartered Banks under consideration?

Hon. Mr. GALT—Yes.

Motion carried.

BOUNTY.

Mr. LE BOUTILLIER enquired of the Minister whether they intended to pay the Bounty to the claimants, under the 22 Vic. Cap. 86?

Hon. Mr. CARTIER replied that the subject was under the consideration of the Government, and that they intended to do so.

CONSOLIDATED STATUTES.

Mr. CONNOR moved "That returns laid before the House, relative to the consolidated States of Canada and Upper Canada, be referred to a Select Committee, to consider and report to the House, the best mode of having the Statutes supplied to the public at a reasonable rate, with power to send for persons and papers; and that such Committee do consist of Messrs. Benjamin, Dunkin, Bureau, Patrick and the mover." The Hon. gentleman said that it had come to his knowledge, that on the 27th of June last, in answer to an enquiry of the Government. Messrs. Desbarats and Derbyshire, the Queen's Printer, had stated that they would furnish a supply—500 copies—of those Statutes, at the rate of 6s. 9d. for the paper and press-work, and 2s. 9d. for the rest of the work, which would bring the price up to about \$2 per volume. The present rate at which they can be purchased is \$14, which was, in fact, a prohibition price to the great mass of the people, who should have the means of purchasing them cheaply. In the United States, similar works were sold at the price of the printing, paper, and press-work.

The object of his enquiry was to see if it were not possible to place those works before the public at a rate very much cheaper than the present exorbitant rate.

Attorney-General McDONALD said that the Government had, of course, to be guided by the price laid down for them by the Queen's Printer, who had to assume any risk that would arise in putting them before the public, and therefore charge the public their own price. He must say, however, that there was a great disparity between the prices at which those works were offered to the Government, and the price which the public was charged for them; and he thought that the public price of the works ought to be lowered, or some arrangement made by which the people would be able to get the work cheaper than at present. (Hear, hear.) Something might also be done to have the Statutes bound in sections---that is, all the criminal law in one volume, and all the assessment law in another---and presented to the country magistrates, and others, gratuitously. (Hear.) He would, however, suggest that the object of the motion would be better gained by the matter being referred to the Joint Committee on Printing, as that Committee could deal with it best.

The motion was accordingly altered, so as to refer it to the Joint Committee on Printing, and was carried.

LAKE ST. FRANCIS.

Mr. SOMERVILLE enquired of Ministers, whether they have employed any person to examine and report upon the state of the road along the banks of Lake St. Francis, through the Parish of St. Anicet, and Township of Dundee, in the County of Huntingdon; and also, whether it is their intention to cause said road, which has been greatly damaged by the rising of the water, caused by the Dam at the head of the Beauharnois Canal, to be put in a proper state of repairs.

Hon. Mr. ROSE replied that no one had been sent out---though a gentleman had been out there in relation to the matter. With regard to the second branch of the enquiry, he would say that there were some 460 or 470 claims set in, which had been referred to arbitration, and if it were decided that the claims should be paid, then, of course, the people would have to repair the road.

EMIGRATION TO THE SAULT STE. MARIE.

Hon. MALCOLM CAMERON enquired of Ministers---with the view of promoting emigration to the Sault Ste. Marie, and the new district of Algoma, and for the benefit and protection of the large number of settlers already there---Whether it is their intention to carry out, in the ensuing spring, the Proclamation issued on the 24th day of August last, setting aside that District by establishing a Judiciary at the Sault Ste. Marie, and by erecting a Jail and Court-house there for the due administration of Justice.

Attorney-General McDONALD had no objection to the Address.

Hon. Mr. BROWN suggested that, at the same time, copies of the correspondence which passed between the Government and a certain member of the other House, relative to a Judgeship, should also be sent down.

Attorney-General McDONALD---Certainly. It shall be sent down.

HOMESTEAD BILL.

Mr. A. P. McDONALD moved for the second reading of this Bill, and said that, for want of such a law in Upper Canada, the greatest suffering had been experienced. He had lived for several years in the United States, where he had watched the operation of a law such as he now had the honor of bringing forward, and he felt, therefore, that he was able to speak intelligently on the subject. The law there had been found to work extremely well, and would, no doubt, operate equally well in Canada. Owing to the state of the law which enabled creditors to seize upon the indispensable household effects and homes of the debtor not less than 50,000, or 60,000 persons had left Canada and more were going. He had known cases when property worth \$5000 or \$6000 had been entirely swept away for small debts of \$100 or \$150, and then, in some cases, the debts were not satisfied. Canada had soil and timber, and other resources, inferior to no country under the Sun; but if these resources could not be developed it was just the same as if we had them not. Let a man secure a homestead and, if all other things failed him, he would labour upon his farm and eventually render it valuable, and in this way the country would be benefited as well as the individual himself. Objections were made to a Homestead Exemption Law, on the ground that it would injure the credit of the country, but he rather thought it would improve it, and certainly it had had that effect in the United States. There the wealth of the country was in the hands of men protected by such a law, and experience had proved that no soil was so well cultivated as that which was owned by the farmer himself. The want of such a law also operated injuriously in other ways, and among others in this. He knew that persons had insured their lives and paid premiums to the extent of \$500 or \$600, but misfortune had overtaken them; they were sold out, they lost courage and, having nothing from which to work out the next premium the policy lapsed and all the previous payments were lost. He conceived that a Homestead Exemption Law was even more wanted than a Bankruptcy Law, for the first would protect men and enable them to persevere through tribulation, while the other simply white-washed them after they had lost their all. An Exemption Law would give tone to the public mind and inspire struggling men with an energy which they could not otherwise acquire. Then, again, such a law would attract emigration of a healthful class, and we wanted population. The country was burdened with a large debt which it could not pay unless it increased its revenue, and therefore it would be wise to invite labour and capital from abroad, for, besides being

producers the emigrants would become consumers of imported merchandize and in both ways the country would be benefited. He trusted to be supported by the representatives of both sections of the Province, and he would especially ask the gentlemen from Lower Canada not to vote down the bill without examination. He hoped, too, that the Government would favour the proposition. They had passed several measures of great advantage to the country, and the financial arrangements of Hon. Mr. Galt, in England, were highly meritorious: let them but assist in passing a Homestead Exemption Bill, and they would deserve well of the country.

Mr. DALY said he had a Bill before the House, the principle of which was somewhat similar to that of the Hon. Gentleman from West Middlesex, and so satisfied was he with the correctness of the principle of it, that he should not follow the Hon. gentleman's example and ask to send it to a Special Committee. No doubt, however, the Hon. gentleman saw the difficulty of passing the Bill he had submitted in its present form, it having, evidently, not been prepared with the care with which it should have been.

Mr. DUFRESNE asked whether the Bill was applicable only to Upper Canada or to the whole Province.

Mr. A. P. MACDONALD said it was applicable only to Upper Canada.

Mr. THIBAudeau said it might not be the intention of the Hon. gentleman to make it extend to the whole Province, but it certainly would do so, and such a law as he proposed was not required in Lower Canada.

Mr. DRUMMOND said such a law was calculated to do more harm than good, for the shopkeeper and the money lender would not extend that credit to the farmer with such a law in existence, which, in the early part of his career in this country, was absolutely necessary. There ought not, in his opinion, to be any exemption from execution beyond the necessary tools of the mechanic, or the necessary implements of the farm. At the same time he must say that he did not believe that any executions for sums under £10 were generally productive only to Sheriffs, Bailiffs, and other officers of justice. Reference had been made to the Bill recently passed by Congress, relating to Homesteads; but that Bill was a very different one from this. Its object was to give a Homestead to every man who chose to go on to the public lands. This was a law which, at the first blush, he was disposed to regard with very great favor, and if the Government were to propose a similar one, with proper restrictions, he did not know but he should be prepared to support it. It would certainly be a much more reasonable proposition than that of the Hon. Member for West Middlesex.

Mr. NOTMAN said he should very reluctantly support the motion to refer the Bill to a Select Committee, and he did not think he should ultimately support the Bill. Such legislation as that proposed seemed to him to be entirely in favor of the debtor and against the creditor, and

the effect of it would be injurious alike to the farmer and to the country. He (Mr. Notman) was told that such a measure would be highly popular. But he had not heard any demand for it in his county, and he thought his constituents would be of the same opinion as himself in regard to it, namely, that it would have a most disastrous effect in Upper Canada.

Mr. FERRES said, whatever might be the opinion of Hon. gentlemen, in reference to the principle of exempting Homesteads, it was impossible that they could go for such a Bill as this. It began at the wrong end. The exemption proposed was only to the extent of \$600. Why this sum, in most cases, would not more than cover the buildings, and what was the use of exempting the building if the farmer were deprived of the privilege of working the land? The only exemption which, in his opinion, could be beneficial, was a certain quantity of land, so that, if a man was unfortunate enough to fall into difficulties, he might not be deprived of the means of supporting himself and family.

Mr. WILSON said the object of the bill was to allow the debtor to retain certain portions of his property in case of sales under execution. It would, undoubtedly be beneficial to the debtor. Men were often unavoidably involved in debt, and it seemed hardly just that all their property should be sacrificed, to meet the claims of their creditors. The injury to the debtor was that he was deprived, with his family, of the means of subsistence, discouraged from further effort to regain his former position, and often compelled to exile himself from the country. For mere debt, no person should be placed in such a position. The loss of a citizen was an injury to society. The expenditure of even one man and his family, in the course of a year, was of considerable importance to the revenue of the country; and his services were of great value. Living so near to the United States, it was desirable to assimilate our laws as far as possible with theirs, and by offering equal inducements to debtors, prevent them from leaving the country. Under our present laws, persons were allowed to retain their wearing apparel, tools and portions of their furniture, generally worth in all about \$300. The question was whether they should extend that law and make it embrace landed property to a certain amount. It was necessary, however, to make such changes cautiously, and, in their sympathy for the debtor, not to overlook the claims of the creditor. (Hear, hear.) A man should not be allowed to retain the proposed amount, in cases where he held as much in the right of his wife. Another important question was, whether the amount exempted should be proportionate to the circumstances of the debtor; whether a man who had been worth property, to the amount of ten thousand dollars, should not have a larger exemption than the man who was worth as many hundred dollars. That point required careful consideration. The object of the law was to preserve a portion of the property for the debtor, and to give the man a chance to buy

The principle was not new; the question was upon its extension, and its application to lands, as well as goods and chattels. He did not pledge himself to support any of the Homestead bills, before the House, in all their details, but he would vote for the second reading of this bill, or for sending it to a Select Committee.

Mr. STIRTON said the subject was one upon which there was a good deal of feeling in the country, and it had been the burden of many petitions from many of the western counties. He thought there was an urgent necessity for such a measure. He regarded the credit system, as the root of all the evil—(hear, hear)—and a Homestead law, similar to that existing in many of the States, would be effectual in putting down the system of buying and selling on credit. In the part of the country he came from, the mechanics were accustomed to manufacture much larger stocks of goods than were required in the neighbourhood, and they employed men to go through the country, and float off those articles on the public, taking notes of hand in return. The same system was followed by many of the merchants, who purchased larger stocks of goods than were needed, and established branches of their business in different parts of the country, and sold on credit. People were thus induced to purchase what they did not need, hoping for better times; they were often disappointed, and the result was of course distress to all parties. By abolishing the credit system, these evils would be remedied, and the tendency would be to increase the standard of honor, and honesty among men, for only the honest would obtain credit at all. Some measure of the kind was unquestionably needed, and he hoped to hear the subject fully discussed.

Mr. GOWAN said he was quite ready to vote for sending the bill to a Committee, but he did not wish to be understood as opposing its principle. He would do this because he knew that the great evils so well represented as existing in Upper Canada, were by no means exaggerated, but rather understated, and he wished to have the causes of those evils carefully inquired into, for the purpose of adopting a remedy. He did not however believe it right that any measure should be passed to enable a man to escape the payment of his debts. But he might be asked what remedy he would propose? Well, he would say, that he would give no power to recover debts under a certain amount, and that would put an end to the Credit system so fraught with evil. He believed that nine-tenths of the expenses of the country were for law costs; and it was quite evident that they must be very great, for in every county they supported a host of lawyers, of judges, sheriffs, bailiffs, and other harpies in every form, who were of no advantage at all, even to the creditor. If creditors could not recover small debts, they would not give credit excepting where they were quite sure of payment, and thus would not prevent the honest man from being accommodated. This would do away with the small

courts and all their attendant evils. Let the existing small debts be wiped out, but after that let there be no law to provide for their recovery, and much of the misery that now existed, would cease.

Mr. McMICKEN admitted that there existed great troubles in Upper Canada, which would be removed if we had a wholesome Bankruptcy Law, but if we could not get that, he would, at any rate, accept a Homestead Exemption Law as an instalment of justice. A Bankruptcy Law, and a Usury Law should go together. He was willing to accept the principle of the bill, but he did not say that he approved of its details. It might be that they would require great modifications. He did not know anything of the working of such laws at home, but he understood they existed in the United States, and no doubt we could procure information to guide us in the passing of one for Canada. He did not think, however, that it would do to send the bill to a Committee of the Whole House, but it should be referred to a Special Committee that would take pains to understand the subject, and to furnish the House with data to enable it to come to safe conclusions. He would go for the second reading.

Hon. Mr. MOWAT—It was clear that the members for Lower Canada did not regard this bill as in the interest of their section of the Province, but if they would assist the Upper Canada members, who were in a large majority in its favour, to pass it, he would assure them that they would restrict its application to Upper Canada. He regarded the bill as a very important one, and one much needed, and much desired in the West. With respect to its details there might be much difference of opinion, but they could be arranged in Committee, and as the 2nd reading merely affirmed the principle, no one who voted for it, was committed to them. Nothing attributed so much to stimulate a man's industry, as the knowledge that he would be able to retain the fruits of it, but without some such law, he could not be sure that he would be able to do so. If the bill passed, after a man had paid his debts, he might go on acquiring property, and what he so acquired would be safe. It was important that in a new country, means should be adopted to induce an attachment to the soil and to create the patriotic sentiments which could only result from such attachments. He saw no harm in the bill, even as introduced, for it did not exempt a Homestead from seizure for taxes, or assessments, or for debts contracted for the purpose of building the house, or for debts created previous to the passage of the Law. If the bill became law, traders would know under what circumstances they gave credit, and they would be on their guard. There were Homestead Exemption laws, in 16 of the United States, and he had not heard that, after any such law had been passed, there was a desire or an attempt to repeal it. This was very important, and it showed that the American people were well satisfied with the working of those laws. But in fact both in

Upper and Lower Canada the principle had been admitted. In the former section of the Province it had been so well approved, that it was afterwards extended, and now it embraced wearing apparel, stoves and other things, and tools to the value of \$60 he believed. Then if the principle had been found to work well, why should it not be extended? It was absurd to say that the principle of the bill was not recognized. For a man may settle property in such a manner that it cannot be seized. The law will not permit a man to secure his own property, but it will permit him to secure that of another. So that according to the law of Upper Canada, a man may do for another what he cannot do for himself. He can tie up his property in such a manner that no man can touch it. Therefore the principle of the bill is recognized by existing law. In addition to this, we have the experience of the working of the proposed system in the United States. There it had been adopted all over the Union, in State after State. And why should we not have the best law of the United States adopted here, with such modifications as would be necessary. We ought to have all the advantages here that they have in the States. Again he would repeat that that the principle of the Bill was a valuable one. Its propriety had been proved by the experience of many countries; and he hoped that it would be established here. It was true that Lower Canada would be opposed to it; but that was no reason why it should not be applied to Upper Canada, where it was demanded.

Mr. SIMPSON thought the laws in Lower Canada, on the subject of debtor and creditor, were much superior to those in Upper Canada. He thought this measure was of a nature to be investigated by the Committee appointed to consider the law affecting debtors and creditors, and hoped the House would pass it at the second reading, if merely as a matter of form, in order that it might go to that Committee.

Mr. ROBINSON argued that this law was not to be condemned as being a Yankee importation, for many American State papers and State laws were very ably drawn up, and embodied noble principles. In support of this view he quoted the views of Lord Derby and others. He proceeded to remark that in Alabama 40 acres of land were exempted by law. In Arkansas, personal property alone was exempt. In California, land, and a dwelling house, to the value of \$5,000 were exempt, and was that a country to which emigrants were attracted less than to Upper Canada? Did not the exemption law work well there? In Delaware they had a similar law. In Florida, besides personal property, they exempt 40 acres. In Georgia, 50 acres. In Illinois, personal property and land to the extent of \$1,000. In Indiana the same. In Iowa personal property, real property to the extent of \$1,000, besides 40 acres of land. In Kentucky, one of the finest States of the Union, the amount exempted was \$600. In Louisiana, real property to the extent of \$1,000 was exempt, and exempt, too, from seizure on account of

taxes or purchase money. New Orleans was the centre of most of the commercial transactions of the South, yet the exemption law could do no injury there. Maine was in a very similar position to Canada, and an exemption law had been in force for many years there. In Maryland no slaves could be touched for debt. In Massachusetts, the strict integrity of whose people, in commercial transactions was well known, they had a Homestead Law, and it did not become Hon. members to pooh-pooh such legislation here. In Michigan, a State something like our own country, \$500 worth of personal property and 40 acres of land were exempt. In Mississippi and Missouri, personal property alone were exempt. In New Hampshire, besides personal property, \$500 worth of land were exempt. In New Jersey, the same. In New York, personal property to a very considerable amount was exempt, the list being too long for him to introduce on his paper, and yet, in that commercial community, \$1000 worth of real estate was exempted, while it had not injured commercial confidence at all. In North Carolina, they had much the same kind of law. In Ohio—and surely the reputation of Ohio was high, as an agricultural country—they exempted personal property and real estate to the value of \$500. In Pennsylvania, the same. In Rhode Island, personal property was exempt. In South Carolina, personal property and real property to the value of \$500. In Tennessee, an old and prosperous State, a Homestead Law; had been in force for many years. In Texas, to which many German emigrants went, they exempted personal property to a vast amount, real property to the value of \$2000, and 200 acres of land. In Vermont, an old State, real estate worth \$500 was exempted. In Virginia, the same. In Wisconsin, 40 acres of land were exempt. (Hear.) Now, after having shown that in most of the 32 States, such legislation had found favor, he thought some consideration should be given to the subject here, and the six month's hoist should not be moved, as was threatened. Who had made these exemption laws in Texas, Michigan, and California? The sons of the men of New England, where the law had been found to work so well. (Hear.) Humanity, too, put in a claim in connection with this system. Our laws, as now enacted, favored the creditor at the expense of the debtor and his family. In Canada, the people could not always avoid misfortunes, for our staple products, wheat and timber, were liable to more fluctuations than almost any others. Wheat was one day worth 7s @ 8s per bushel: the next it was only worth 3s. And so with lumber, men worth £30,000 or £40,000, were ruined the day after. (Hear.) The mechanic, and the small trader, had a right to some legislation as a protection against the consequences of these vicissitudes. The present law was cruel, it gave the creditor power to be tyrannical over the rest of the community, which was not entirely fair. Our country, he considered, was cursed with cheap law, that was his idea. The Division Courts had produced no substantial benefits to

the country. We had itinerant Justices going about, opening their Courts every fortnight, causing costs for small sums of \$16 or \$20.

Mr. DUNKIN—That was dear law.

Mr. ROBINSON—Of course it was, but it was at first supposed it would be cheap. He knew the carpenters and mechanics whom, in Toronto, it affected—men as respectable as any body. They got into difficulty through the dearth of labor, and, without consulting their wives or children, they procured provisions from the neighboring store on credit, perhaps to the extent of \$8 or \$10, intending to pay, and hoping to get labor in a few days to enable them to do so. But the term of credit sometimes expired before they could earn the money, and down came the bailiff, the family was ruined, the man turned a drunkard, perhaps the woman did the same, and the poor children were left to the charge of others in the community. This was not mere imagination, it was truth. (Hear.) These division courts should be done away with, or else we should have such a law as the one proposed. (Hear.) Now, rich people, when they married, made some provision against misfortune, in the way of marriage settlement, but there was no such law for the advantage of the poor man. This Homestead Bill would in fact be a marriage settlement for the poor man, both in the country, and in cities and towns, and then equal justice could be afforded. The details of the bill were possibly not the best that could be desired, but the principle was good, and he again said Hon. gentlemen ought not to pooh-pooh it. (Hear.) It was said there was no public feeling on this subject: that the people had not come forward with petitions. Now he had taken up a few newspapers, lately, and almost all of them contained some favorable allusion to the question. Several Municipal Councils had petitioned for such a law. It was one which the people were beginning to feel was necessary, and one which, were there a general election to-morrow, would be made, to some extent, a test question at the polls. Thinking that if it were passed, the people would be thankful, and that it would relieve to some extent the miseries the people now suffered under, from the state of the Division Courts, he would heartily support the second reading of the bill. (Hear.)

Mr. WALLBRIDGE said that he had not intended to speak on this subject, but as so many members, both on the Govt. and Opposition sides, had spoken, and in so earnest a manner, that he could but think that, in a matter of such importance, the Govt. ought to have had a policy. It was upon matters in which the public took so extensive and so earnest an interest that it was the duty of the Govt. to have a policy. They seemed, however, to have none. Not one of the Govt. had spoken; they left it to their supporters, and who, he was obliged to say, had unconsciously paid the Govt. a very bad compliment. The Hon. member for Wel-

land uttered a lamentable wail on behalf of his constituents; other members on the Govt. side had done the same, and in the Opposition the members were generally in favor of it. It seemed as if Upper Canada were in so bad a position financially, that her members found that they had to complain of the payment of their honest debts. He denied that the people, generally, were in any such circumstances. The people were well off, and indebtedness was the exception. As the Govt. would not protect the public he would not allow what he thought was a libel on Upper Canada, to pass without a denial. The people were not bankrupts, were indebted comparatively very little, and an impression to the contrary should not go abroad; Ministers ought to have denied it, or ought to have found a remedy. The Hon. member for Welland gave the Govt. a severe reprimand, although he was unconscious of it at the time. In his opinion a Bankrupt Law would have cured all and rendered this Bill unnecessary. Now who ought to have brought in the Bill? Why, the Govt.! And then not doing it, was a just cause of complaint. Why had not the Hon. member the courage to tell them so? He did it in effect, but the Govt. saw that they had nothing to fear from members who complained in so complaisant a manner. If a person be really poor the Law now affords a protection. A debtor has a protection now to the extent of £15 of property. He may be protected totally from imprisonment. The wife's property is protected entirely by the Act of last Session. Men of property usually make out nuptial settlements. Now Hon. Members say we want an addition to what we already have---a Bankruptcy Bill and a Homestead Bill. What does the knowledge of business teach us? Why, if it be known in New York that a merchant has made a marriage settlement, his credit is almost ruined. If you pass this Homestead Bill you, in effect, make a settlement for every one, and you will materially affect the credit of the people. It is the duty of the Govt. to watch over the credit of the country, and to see that laws are not passed having so injurious a tendency. But they sit still; they have nothing to say. This is an U. C. Bill, and U. C. has nothing to say in legislation. The majority of her representatives are denied all power in the Govt. I cannot refrain from referring to the fact of the Atty. Gen. East, a short time since, introducing at one time, a number of Bills for L. C. But for U. C.;—what Govt. was there to introduce Bills for her? We want legislation in U. C., but the Atty. Gen. East dare not introduce them, for he has a majority against him. He would not have spoken, but U. C. should not be in such a position as to have a Govt. in which she has no influence and no voice.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 19, 1869.

HOMESTEAD BILL.

³ (Concluded from our last No.)

Hon. Mr. SHERWOOD would not oppose the bill being read a second time and sent to committee, as, he believed, that its principle had been recognized already. At the same time he did not believe that there was that universal cry throughout Upper Canada for this measure. In the western portion of Upper Canada, it was true there was an agitation for it; but that section did not represent the whole of Upper Canada. So far from this measure being demanded by the whole of Upper Canada, there was not a single person in the part of the country where he came from, who asked either for the repeal of the Usury Laws, or the passing of a Homestead Law. (Hear, hear.) And yet the House was told that the whole of Upper Canada demanded a Homestead Bill. There was no doubt that the Western portion of Upper Canada was more in debt than the Eastern portion of it. The Western portion was younger; while the other section was more established. And both sections should not be set down, as demanding a measure which was, in fact, one asked for by one portion. Again, it is said that the poor man will be benefited by knowing that he has a lot of land that will soon be his own, and which will descend to his family at his death. But, it seems to be forgotten that the poor man could not get in without credit; and that there was no provision to prevent the poor man from mortgaging his lot, and also to prevent the mortgagee selling the property, in default of payment. Not only in this, but in other cases the law of exemption would work as much ill as good. Again, it behooved that those persons who were in favor of the Homestead law, should show its superior excellence. They should show that the classes who came under the provisions of

the United States, were better off than the same classes here. And even if this were shown, which was doubtful, the fact yet remained that the people of the eastern section of Upper Canada had not yet desired this measure.

Mr. AIKINS said, representing as he did, a large constituency in the West, he might be presumed to know something of the feeling of the people in that section of the country on all matters of public interest; and he must say that he had never heard of any agitation there in reference to a Homestead Bill. It was a matter of much surprise to him to hear the contrary asserted by Hon. gentlemen from both sections of the Province, as regarded their respective localities. Nevertheless, he considered the principle of the Bill a good one, and he should vote for the second reading of it, in order that it might be referred to a Select Committee. At the same time, he hoped that, while having in view the interests of the debtor, the Committee would not lose sight of those of the creditor.

Mr. McDUGALL said he could not understand the objections urged to the Bill, in view of the fact that there was no invasion of law, right, or justice intended by it. It simply gave a man the privilege of securing a portion of his property against accident for the benefit of his family; but he was only able to do this by having the act registered, so that every one might know the fact who was interested in being acquainted with it, thus placing his creditors in no worse position than that which they occupied at present. They had been told by the Hon. members for Hastings and Peel, that such a measure was not required by the people in their sections of the country. Well, if that were so, they would not avail themselves of the benefit of the Bill, as it was entirely optional with parties to do so or not as they pleased. None of the evils which seemed to be anticipated from it could then befall them. A Homestead Law had worked well in the States, and he thought they might at least give it a trial here.

Mr. FERGUSON said he was one of those who thought it was wrong to cover any man in his iniquity. He believed it was just, and right, and reasonable, that all men should be required to pay their debts, and he had come to the determination if a Bankrupt Law was proposed—a law which, in common language, had been justly styled, a law to whitewash debtors—he should oppose it to the utmost of his power. He had seen too much of the evils of the Bankruptcy system. Next to the debtor, the lawyers were the people who derived the greatest share of benefit from it. He had seen men put under oath, and swearing that they had given up all their property; while it had been conclusively shown, afterwards, that they had committed perjury. But this Bill could not be classed in the same category with a Bankrupt Bill. Neither could he see what connection it had with the Division Courts, which the Hon. junior member for Toronto had spoken of so deprecatingly. The Division Courts had worked exceedingly well, and no other Courts had given the same satisfaction in Upper Canada which they had done. The Judges were excellent men, and instead of the lawyers being the only men benefitted by them, it was the community who reaped the benefit of them. Instead of as much being paid for the recovery of a debt of £20, as the debt itself, as was formerly the case, that sum could now be recovered for 15s. Indeed, he would be sorry to see the Division Courts injured, and he only regretted that their jurisdiction had not been extended still further by the Bill of last Session. He looked upon the Bill before the House as a good one, and he had no doubt it would have a beneficial effect.

The House then divided on the motion for the second reading of the Bill, which was carried by 58 to 18.

YEAS.—Messieurs Aikins, Alleyne, Baby, Beaujien, Biggar, Bourassa, Brown, Burton, Burwell, John Cameron, Malcolm Cameron, Campbell, Carling, Caron, Cayley, Cauchon, Clark, Connor, Coutlée, Daly, Daoust, Désaulniers, Dorion, Dufresne, Ferguson, Finlayson, Foley, Gould, Harcourt, Holmes, Labelle, Langerin, Lemieux, Attorney-General Macdonald, A. P. Macdonald, McDougall, McGee, McKellar, Solicitor General Morin, Mowat, Munro, Notman, Oumet, Piché, Playfair, Walker Powell, Robinson, Dunbar Ross, Rymal, R. W. Scott, Sherwood, Short, Sidney Smith, Stirton, Turcotte, White, Wilson, Wright.—58.

NAYS.—Messieurs Archambeault, Bell, Chapaïs, Cimon, Cook, Dionne, Drummond, Dunkin, Foster, Loux, John S. Macdonald, Mattice, McCann, Patrick, Pope, William F. Powell, Simard, Thibaudeau.—18.

Mr. A. P. MACDONALD then moved that the Bill be referred to a Select Committee, consisting of Messrs. *Sherwood, M. Cameron, Foley, Roblin, Daly, McDougall, Stirton, Wilson, Benjamin, McGee, Mowat, Simpson, Ferguson*, and the *Mover*.—Carried.

PUBLIC LANDS MANAGEMENT BILL.

On the motion of Attorney-General CARTIER, the Bill from the Legislative Council, respecting

the Sale and Management of the Public Lands, was read a first time.

RAILWAYS CROSSING WATER COURSES.

On motion of Mr. COUTLÉE, his Bill to amend the Agricultural Act of Lower Canada, so far as it affects Water Courses, which intersect lines of Railway, was read a second time.

HAY AND STRAW.

On motion of Mr. DESAULNIERS, his Bill to fix the standard weight of Hay and Straw, was read a second time.

CORRUPTION AT ELECTIONS.

Mr. GOWAN moved the second reading of his Bill, for the more effectual prevention of corrupt practices at Elections. He said his Bill was not a new one, but was merely designed to carry out the existing law. In this, and almost every other country, the practise of bribery in some form had become far too common. Innumerable means, direct and indirect, were employed to influence men in giving their votes. This was especially the case in large cities, and it was very desirable that something should be done to check the practice. The existing law denounced the evil, but there were no means of carrying that law out. This Bill provided that each candidate should declare upon oath that he would not in any way whatever, unduly influence his electors. A violation of this oath was made perjury, and the candidate was, by such offence, to be unseated. He would have no objection that the Bill should go to a Select Committee for consideration and improvement.

Mr. WILSON would suggest some alteration in the wording of the oath, but thought the principle of the Bill excellent.

Hon. Attorney-General CARTIER said the Government was desposed to favor any measures tending to prevent corruption at elections. He suggested that the Bill might appropriately be referred to the Committee on Elections.

Mr. GOWAN thought that Committee too large; he would not object to a Select Committee of six or seven, named by the House.

Hon. Attorney-General CARTIER said the name of the Hon. gentleman should be added to the Committee, and seven others struck off.

Hon. ATTORNEY-GENERAL WEST said a similar Bill had been rejected last session, on account of the oath. There were conclusive reasons why such oaths were objectionable. Sir Robert Peel, Lord John Russell, and others, had taken the ground, that men of sensitive feelings would be placed in an embarrassing position by such oaths, and perhaps prevented from offering themselves for Parliament. He (Hon. Atty Gen.) supposed the present Bill was intended to extend the provisions of the Bill of last session, which Bill had not yet been fully tried. The present was a suitable opportunity for deliberately considering that Bill, and making any alterations necessary, as there would probably be a long period before a general election.—(Laughter.)

Hon. J. S. MACDONALD was of opinion, that legislation on this subject would prove a failure—it would be evaded just as the Liquor Law had been.

Mr. MACDOUGALL said he would, before long, introduce a Bill for the same purpose, embracing several points which had been overlooked in the Bill now offered. It was next to impossible to prove a case of bribery with our present laws, for the simple reason, that a person giving evidence as witness, was liable to criminate himself. The only remedy for this, was to relieve the witness from the crinating consequences of which he now stood in fear. Another point of importance in the Bill he proposed to introduce, was connected with the assessment roll. At present, parties whose names were placed on the assessment roll, were required to declare on oath, that they are the persons whose names are on the voters' list. He proposed making the oath declare their right to have their names on that list. It had been found, that in many cases, names were on the list where the parties had not the requisite qualifications.—This was a serious loop-hole in the law.

Hon. ATTORNEY-GENERAL WEST said there was no loop-hole in the law. The names were thoroughly winnowed before the rates were taken.

Mr. MACDOUGALL hoped soon to see Committees appointed in each township to examine the assessment rolls; but at present, he believed many of the voters' lists were objectionable. Under the Bill he proposed, the voter would declare himself qualified to be upon the roll.—Those were the principal points he should bring forward.

Mr. RICHARDSON did not like to find the penalties of the law which were very heavy, though, perhaps, not too much so to attach only to the candidate, he would wish to see them bearing also upon the voter. Although much had been said of bribery and corruption as prevailing in Canada, yet, he did not believe they were practised to a greater extent than in England. It was the practice there to send Commissioners down to the places accused of having been distinguished by such bad practices during the elections, and we had evidence of the extent to which they had prevailed in Wakefield, Gloucester, and other places. Perhaps some similar mode of proceeding might be adopted with equal good effect in Canada.

Mr. GOWAN then moved that the Bill he referred to a Special Committee, to be composed of Hon. Messrs. *Sherwood, Sandfield MacDonald, and Sicotte*, and Messrs. *Dufresne, Coultée, Benjamin, Turcotte*, and the Mover.

Hon. Mr. MOWAT said that besides the objects proposed, there was another branch to the subject which should not be lost sight of.—When an election contest had taken place, and a number of the electors were satisfied that the party said to have been elected, was not, in fact, lawfully returned, it was absurd and wrong in the last degree, that because of some trifling informality in the recognizances, they should not

be able to go with their petition, and that in fact, they should be left without a remedy. As the law now stood they could not proceed, though they might be willing to correct the error, and to deposit the requisite amount, or double the amount of money as security in the Speaker's hands: It was highly important that this state of things should come to an end. But this was not the only thing that required attention. By Mr. McKenzie's Bill, evidence could be taken before Parliament met, and it was in the interests of justice that it should be done, but since the repeal of that law, it could not be. The consequence was, that it was not until Parliament met, that proceedings could be commenced, and they were attended with such delays that a member who had a seat, to which he had not been rightfully elected, could retain for two or three sessions, before the man really chosen by the electors could succeed in dispossessing him of it. It was only a few days ago that such a case had been decided, and although we were now well advanced in the third session, there was yet an election contest undecided, and although it was expected soon to be, yet there might be further delays. It was positively outrageous that there should be no other remedy for such injustice, than that now furnished by the election law, and he thought the Committee should direct their attention to the subject, with the view of suggesting an adequate remedy.

Attorney General MACDONALD said that in his opinion the only effectual mode of putting an end to the evil sought to be remedied by the Bill was by removing the enquiry out of the House altogether. The ends of justice would, no doubt, be far better furthered by committing the trial to the Judges, who would proceed to the spot where the fraud or violence had occurred, and then and there examine witnesses and try the case. This method would remove the matter entirely from the House, and ensure a speedy verdict. At the same time, it would prevent charges of partiality, or corrupt motives from being advanced against members of the House, who were engaged in the trial of such matter. In expressing these opinions, however, he did not wish to be understood as speaking for the Government. He was simply expressing his own opinions.

Hon. Mr. DORION was glad to hear his Hon. friend express the opinion he had done. Those who were acquainted with the present law could not but know that it was a complete failure; while there was every reason to expect that the proposed law would work well and completely meet the case. It was this same law that had been applied in Municipal elections, and it had been found to work admirably; and there was no reason to doubt of its giving the same satisfaction when applied to Legislative election contests. It had been objected that the proposed law would have the effect of mixing the Judges up with politics—but he did not fear such injurious results; while he was sure that it would ensure prompt justice. The only thing that would effectually work out a remedy was the

certainly of punishment. Let it be understood that the frauds practiced at elections would be promptly tried, and punished, and that the seat would be declared void before the ensuing meeting of the House, and a great end of justice would be accomplished. It was not the present uncertain system that would ensure purity of elections. That could only be brought about by prompt and strong action. It was his opinion that a still more effectual mode of putting down bribery and corruption—and that was by continuing the election to one day. Every one conversant with the subject must know that most of the bribery and corruption which took place, took place on the second day. The friends of the candidates had then an opportunity of calculating their chances, and accordingly there was more inducement to bribe. He proposed to put an end to this. There might be as many polling places as necessary; but only one day should be allowed for polling. It was his intention to introduce a Bill on the subject.

Hon. J. S. MACDONALD did not concur in these opinions. He did not approve of the House giving up any of its privileges. Nor did he consider that there was any necessity for it, since the same object could be obtained otherwise. The laws relating to voters are now much simplified. There is not now, owing to the Registration of Voters Act, the same trouble to be gone through as a Committee on a contested election formerly had; and this was the hardest part of their task—trying who were voters and who were not. It was absurd to say that the House could not as well try those cases, as Judges—many of whom have been known to act partially before now. The principle charges in such cases were fraud, riot and bribery, and all these things could easily be disposed of, and the election declared void—according to circumstances—before the ensuing meeting of the House. In all such cases, let the House decide. He would not consent to delegate this privilege of the House to any body.

Dr. CONNOR thought this was a most important discussion. He imagined that the tribunal which now tried contested elections, was of a most unsatisfactory nature. The House had to abdicate its authority, and it was a common question, when an election Committee was appointed, "who is upon the Committee?" for it was felt that the decision would mainly depend upon its personal composition. (Hear, and no, no.) The judges of the land, who were above suspicion of partiality or partisanship, superior to ministerial or any other influence, would be a far better tribunal for trying contested elections, than the purest Committee of the House, and he thought the Attorney General West, should have brought in a measure upon the subject. The Assessors might overvalue an elector's property, in order to give him a vote, and the oath proposed to be required by the member for North Oxford would remedy that evil, for people did not like to swear unless they were quite well assured they were able to do so safely. However, this only met half of the

difficulty, for the men kept off would have no redress. He knew of cases of property worth \$300 or \$400 put down to \$100 under the pretence of saving taxes to the owners, when in point of fact it was to rob them of their votes. The Attorney General West said that these things would, in course of time, right themselves, and also that on application to the Revision Court or to the Judges of the County Courts, the rolls could be corrected but in this country we have not men of great wealth and great family influence who were interested in keeping the representation in certain hands, and who consequently watched over everything that was likely to impair their strength. He wanted the Committee to consider these things.

Mr. McDUGALL—What remedy would you propose Dr. CONNORS? This was a question of such vast importance, that he thought the Ministry should have dealt with it themselves, for as they assumed to rule the country, they ought not to leave to private members, and especially to those of the Opposition, to deal with it. The proposition of the member for North Oxford, went only half of the way, and without offering a suggestion as to the further remedy, he would say that if the Government did not take up the matter themselves, some of the members of it should be put on the Committee that the House might have the benefit of their views.

Mr. W. F. POWELL went half way with the member for North Oxford, but he did not like his imputations, for he had said that it was only necessary to know the complexion of a Committee to know what decision they would come to. He might speak for his own side of the House, but he had no right to speak for the other, and he was sure his (Powell's) friends would not plead guilty to such a charge. Then he did not see there was any necessity for his Milesian friend to get so warm as he insisted upon both ordinary and extraordinary questions.

Dr. CONNOR had never seen old Ireland.

Mr. W. F. POWELL—In a matter like this our Legislation should be above suspicion, and every member should lend his help in purifying the atmosphere of the House. It had been said that no previous Parliament had been elected through such fraud as the present, but this he did not believe, and at any rate, no previous Parliament had done so much for the purpose of preventing bribery and corruption at future elections.

Dr. CONNOR—How? What had been done?

Mr. W. F. POWELL—Well we had passed a Franchise Law, and one for the Registry of Voters, both of which would go a long way in that direction. The Hon. member for Cornwall was opposed to removing inquiries into alleged improprieties from the House itself, on the ground that we thus abnegated our functions, but he did not see the force of this, for, after the Commissioner had taken evidence, the House had to receive it and decide. He would go for re-enacting some simple mode analogous to the procedure under the McKenzie Bill. The debate had been rather discursive, but it had hardly

touched one of the greatest sources of bribery and corruption which prevailed at elections, viz., the keeping of houses of entertainment open, as was the case in Toronto on the last occasion. This needed to be remedied. As to multiplying oaths, he questioned the propriety of this, for in the heat of contest people would swear without that discretion which, in more sober moments they would exercise.

Mr. McDOUGALL—In case of a man of no property at all, what would you do?

Mr. W. F. POWELL—This was not a likely case, and at any rate, before he could be in a position to swear, his name must be upon the Roll, and in order to its being the Assessor who was sworn must have perjured himself. He thought the remedy now existing for all such cases, viz., that of submitting the Roll to the Court of Revision or the County Judge was a good one.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 21, 1860.

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

GROWING TIMBER.

Hon. Mr. ALLAN reported the Bill to protect growing timber, with amendments, which were ordered to be printed.

GAME LAWS.

Hon. Col. PRINCE introduced a Bill to alter the Game Laws of Upper Canada. The object of the Bill, the Hon. gentleman explained, was to prevent game being killed out of season—and also, to prevent strangers coming to Canada from the other side and carrying off large quantities of game to the Hotels and poultry houses of New York, for sale. At present, the game of Canada was becoming very scarce, and an immediate remedy was demanded to prevent worse consequences. The time up to which deer, wild turkeys, and bear, were at present killed, was far too late, as he knew from experience; and he hoped that a change would be made. He appealed to the House as an old sportsman, to support him in this measure. The game of the country was a great inducement for people to come and reside in it. It was the game which induced him to come and reside here. And it was but right that proper steps should be taken to preserve it, before our woods became as scarce of game as the Western portion of the United States are likely to become of the buffalo. It was a shameful thing that hunters should have such unlimited license there. The skin was all the animal was killed for, and its meat was left to rot. The cowardly manner in which the moose was killed, in our own country, was also reprehensible. The animal was not killed in a sportsmanlike manner. It was surrounded in its homestead by a party of men, led thither by an Indian for \$10, and

shot down like an ox. He (Hon. Col. Prince) claimed to be the father of the Game Law in Canada, and claimed the support of the House on this, as on former occasions. He never knew a good huntsman or a good sportsman that was not a good fellow. (Hear, hear.)

The Bill was then read a first time.

REGISTRATION IN LOWER CANADA,

Hon. Mr. MOORE introduced a Bill to facilitate the Registration of Titles in Lower Canada.

The Bill was read a first time.

STEAMBOAT SECURITY.

Hon. Col. PRINCE moved the second reading of the Bill to secure the safety of passengers on board steamboats. The Bill had for its object, to compel the owners of steamboats to provide masts and sails for their vessels—so that in case of any accident happening to the machinery, the vessel might still be navigable. It was a most extraordinary thing, the Hon. gentleman said, that such a Bill as this had not been introduced before this. His attention had been drawn to this subject by an accident which occurred some time ago on Lake Huron, which, but for the fortunate interposition of Providence, would have plunged the first families in the land into mourning. The Hon. gentleman alluded to the disaster which befel the steamer *Plough-boy*, last Summer, by the breaking of the machinery, upon which the vessel became unmanageable, and for the want of proper masts or sails, drifted at the mercy of the waves. At present, there existed a Board of Steamboat Inspectors—to whom it was provided in the Bill, the power should be committed, of examining all steamers, and compelling those navigating the lakes, to have the necessary masts and sails to render them safe, in case any accident should befall them. The necessity for such a Bill must be patent to every mind. It had nothing arbitrary about it, as would be made to appear more fully when investigated by the Special Committee to which it was his intention to commit it, if Hon. gentlemen would—and he had no doubt that they would—allow it to be read a second time.

Hon. Mr. VANKOUGHNET reminded the Hon. gentleman that a provision, similar to what he sought for, was already provided in the Consolidated Statutes; but he was not sure but that the present Bill might be enacted, in order to make the provisions of the Act more plain. At present, steamers were required to be furnished with masts, but there seemed to be no provision as to sails. However, the Inspectors, to whom the power of looking after those things would be committed, would, of course, not compel all steamers to carry masts and sails. There were some navigating narrow waters where such appendages would be useless. (Hear, hear.)

Hon. Mr. MOORE thought that great caution should be exhibited in this matter. There were several persons who had invested very large sums of money in steamers, some years ago—and since then, the investment, owing to the competition of railroads, had not proved profit-

able. The effect of the present Bill would be to saddle those persons with a great additional expense. In case the Bill went to Committee, he hoped that then those things would be taken into consideration.

Hon. Mr. Campbell would like to know if the proposed measure would affect American steamers coming to our ports?

Hon. Mr. VANKOUGHNET replied in the negative.

The Bill was read a second time, and referred to a Special Committee, composed of the Hon. Messrs. *Armstrong, Ferrier, DeBlaquiere, Taché,* and the Mover.

INTEREST.

Hon. Col. PRINCE asked leave to withdraw his Bill to alter the present legal rate of interest. The Hon. gentleman said, that this Bill had been conceived with charitable intentions; and he was not quite sure that he was doing right in asking leave to have it withdrawn. However, under the circumstances, he felt that he had no other alternative. Sometime before the meeting of the present Parliament, he had occasion to go among the people from his part of the country, and he had heard on, every side, loud complaints against the present law; and he was told, that when the session opened, he would receive numerous petitions against it, to present to the House. It was not one petition, or a dozen, but bushels, that he was led to expect. But, notwithstanding all these professions, he had not received a single petition. He could not make bricks without straw. Petitions were the pedestals on which Acts of Parliament were founded; and, wanting those, he had no other course left but to withdraw his motion. Besides, although he never held a caucus, he knew very well by the feeling of the House, that it would be better for him to withdraw his motion. He believed that Canada would be benefitted by earning a character for stability in her legislation, which she could not do if she changes her laws every year—and doubtless, in England, the stability of our Province had a great deal to do with her credit. Under all these circumstances, he begged leave to withdraw his motion.

Hon. Mr. MURNEY regretted that the Hon. gentleman was about to withdraw his motion—as he believed, that the existing state of things demanded the repeal of the Usury Laws. He was sorry to see, that, under the present system, money-lenders had ceased to be gentlemen, and had become sharpers and swindlers, who were not satisfied until they had their forty per cent. on their loans.

Sir E. P. TACHE reminded the Hon. Col. Prince that there were seventy-five petitions presented against the existing law last Session, and regretted that the Usury Laws had been repealed, and the punishment attached to the heads of them abolished. It was not fair, he considered, to contrast this province with England, for there there was plenty of money, while here there was not, and consequently there should be some check on the cupidity of the money lender. The

Hon. gentleman then went on to say that it had been asserted that Lower Canada ruled Upper Canada—but that was not the case. Lower Canada had always opposed the repeal of the Usury Law, because the law was respected there. Lower Canada had voted against change in the Court of Chancery, after the House had established it, on the ground that it had not had a fair trial; and that for the same reason Lower Canada would not vote against the repeal of the Usury Laws, because they had not had a fair trial. It was undeniable that Upper Canada had not given the present law a fair trial, and, in his opinion, it ought to have a fair trial, before it was repealed.

Hon. Mr. FERRIER approved of the existing Law. Under it money flowed into the country, and would doubtless continue to flow until the country was enriched. The public mind was becoming settled, and it would be a pity to disturb it, by repealing a Law which was beginning to work well.

Hon. Mr. BOULTON strongly condemned the existing Law regarding interest. He had, he was sorry to say, been instrumental in bringing in the Bill to repeal the Usury Laws; he wished that now he had an opportunity of voting against the bill. He believed that it had been productive of the worst results. No one could pay the rate of interest demanded,—twenty per cent., in many cases, and keep themselves from ruin. The abolition of the Usury Laws had been tried in the States, but in New York State a law had been passed to reduce the rate of interest to six per cent.,—a fact which did not speak well for the existing law.

Hon. Mr. ALLAN had regretted to hear that the Usury Laws had been abolished, but now they were abolished, the existing law ought to have a fair trial. No good could come from hasty and fickle legislation. A great deal had been said about the class of the money lender, but he could assure the House that the men who took their twenty, thirty, or forty per cent., from poor farmers, were farmers themselves.

Hon. Mr. DEBLAQUIERE concurred in the remarks that the existing law had not had a fair trial, and went on to remark that experience had shown that criminal Laws could never restrict or control the cupidity of money lenders, and to do away with the existing Law, would be to open the door to the most nefarious transactions.

Hon. Mr. VANKOUGHNET would not discuss the merits or demerits of the question, but he could not help saying that he thought that his Hon. friend (Col. Prince) had acted in accordance with the feeling of the House, when he asked for leave to withdraw his motion, and he hoped that the bill would be withdrawn. He had heard arguments both in and out of the House and had also read them in the Public print, against the existing law, but it occurred to him that this was not the time to do so. There never could be a more improper time to alter our money law, than in a time of panic and misfortune, such as the Province had undoubt-

edly gone through. Besides, no good came of a display of fickleness, in passing Laws one day, and repealing them the next. A great deal had been said about the high rate of interest which had been taken for money, but he put it to the Hon. gentleman to say whether it would be better to borrow money even at forty per cent., or to have one's goods and chattels sacrificed by the Sheriff. Those who borrow seemed certainly to choose between the least of two evils. Some people even went so far as to attribute the late misfortunes which befel farmers to the repeal of the Usury Laws. With equal justice, was it said that it was his (Mr. Vankoughnet's) appointment to the office of Minister of Agriculture, that cause the plague of the weevil. (Laughter.) He hoped that the bill would be withdrawn.

Hon. Mr. SEYMOUR thought it wise in the Hon. gentleman withdrawing his Bill. It was a bill that would not be acceptable. Uncertain legislation was a most unfortunate thing for any country, and Canada should be exempted from it. Besides, he considered that the present Law had not had a fair trial.

Hon. Mr. SIMPSON assured the House that the people of Upper Canada did not desire a repeal of the existing law, (hear, hear) and stated that to his own knowledge, money could now be had in places in Upper Canada at eight per cent. It was absurd to regulate the rate of interest by Legislation. It must be regulated by the supply and demand. (Hear, hear.)

Hon. Mr. CAMPBELL contended that the present Law had had the pleasing effect of bringing English capital into the country, which, to his own knowledge, had been invested at as low a rate as eight per cent., on good security. (Hear, hear.) In that part of the country where he came from, money could be had for seven or eight per cent., on good security.

Hon. Mr. ALEXANDER condemned the frequent changes in our Legislation, but, at the same time, admitted that it could be shown that legislation could, at the present moment, be introduced which would greatly benefit the people. It would be most desirable to prevent the Banks from charging too high a rate of interest. No legitimate trade could levy more than eight per cent., and why should not the House, even at the risk of being charged with instability, adopt a permanent policy, in which both our home capitalists and foreign capitalists could rely. He hoped that if the Hon. gentleman withdrew his Bill, that some other Hon. gentleman would introduce a similar one.

Hon. Mr. MOORE reminded the House that a similar bill had been introduced into the other Branch of the Legislature, and the opinion of that House had been pronounced against its principle—so that another bill on the same subject could not be entertained there.

Hon. Col. Prince was glad to see that the existing law was not approved of by the entire House. It had been said during the course of this discussion that the present law introduced money—but he was sure that this was not the

fact. There was no evidence of such a happy state of things. Much stress had been laid on this fact—and, as an evidence of it, the advertisements in the paper of money to lend had been reduced. But he knew from experience that those advertisements were merely puffs to bring people into notice. A gentleman at Hamilton,—he would not mention names, as he was not present to defend himself, had advertized money, in this manner; and he (Col. Prince) had written to him twice on behalf of some clients who wanted to borrow; upon which he was told that it was all lent. What was his astonishment, however, to see the same advertisement in the paper the week after. (Laughter) While asking leave to withdraw his Bill, he must express his satisfaction at the discussion which it had produced.

The Bill was then withdrawn.

MESSAGE.

A message was then read from His Excellency the Governor General, giving leave of absence for the Session, to the Hon. Charles Wilson.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Tuesday, March 20, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to incorporate the Art. Association of Montreal.—Mr. *Dunkin*.

BILL (from the Legislative Council) to abolish the use of Grand Jurors in *Recorders'* Courts in Upper Canada.—Hon. Mr. *Mowat*.

BILL to incorporate the Common of Berthier.—Mr. *Piché*.

BILL to legalize the proceedings of the Board of Notaries in the District of Kamouraska.—Mr. *Chapais*.

BILL to authorize the sale of the site of St. George's Church, in the town of Guelph, in the County of Wellington, and to acquire another site in lieu thereof; and to raise a sum of money on mortgage of the latter, for the purpose of erecting a new Church thereon.—Mr. *Stirton*.

BILL to amend the Act concerning the election of Members of the Legislature, Chap. 6 of the Consolidated Statutes of this Province.—Mr. *Dorion*.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

Hon. Mr. ALLEYN delivered a Message from His Excellency the Governor General, accompanying certain resolutions respecting the Administration of Justice in Lower Canada.

Hon. Mr. CARTIER then said that before asking the House to go into Committee on the resolutions relating to the Administration of Justice in Lower Canada, he would make a few

observations respecting them. The principal object of them was to apply to the districts of Quebec, Montreal, Three Rivers, Gaspé, St. Francis, Kamouraska, and Ottawa, the provisions of the Judicature Act of 1857. Hon. members would remember that by that Act a fund was created in the new districts, to assist in paying the Jurors, and in the maintenance of the Courts of Justice, as well as for the purpose of constructing Gaols and Court-houses. When, in 1857, he had had the honour of introducing that Bill, he had intended, as a consequence of the new system, that the provisions of it would, at some future time, have to be applied to the district of Montreal, as well as all the others known as "old districts." But he hoped Hon. members representing constituencies within these districts, would not be frightened at the extension of the system at so early a day, for there were several sources applicable to the proposed "Building and Jury Fund," which would prevent it pressing heavily on the Municipalities. In fact, the same sources which are to swell the Fund in the new districts, would be appropriated for the same purpose in the old ones. Small fees, on numerous causes, would make up a large fund. (Hear.) There was a clause in the resolutions, relative to the proportion of expense to be borne by the Corporations of Quebec and Montreal, which needed some explanation. In the districts in which those cities were, three-fourths of the prisoners belonged to the cities proper. The cities ought, therefore, to pay a greater amount towards defraying the expenditure, on account of the maintenance of prisoners, than the rest of the district in which they were. This was why he had provided in the 1st resolution, that "the local Municipalities or Corporations of the cities of Quebec and Montreal, shall each contribute double the aggregate amount to be contributed by the several local Municipalities within the districts of Quebec and Montreal, respectively." The local Municipalities throughout the new districts had to pay, some £6—others £3 per annum each, and the two cities twice as much as the rest of the local Municipalities in their districts. The Governor-in-Council had, however, the right to reduce this amount, if it were found that so considerable a fund were not necessary; and if the other sources proved sufficient to raise the whole amount required, there would be no contributions required from the Municipalities. He might mention, in this place, to the members from Lower Canada, that they ought to be glad to perceive that by means of local resources, they would be able to establish a Fund for maintaining their prisoners and paying Petit Jurors. (Hear.) And he would also take this opportunity of stating that crime had been decreasing of late in Lower Canada, so much so, indeed, that His Excellency, in the exercise of his prerogative, had deemed it proper to abolish the Courts of Quarter Sessions in Kamouraska, Ottawa, Three Rivers, Gaspé, and St. Francis.

The number of prisoners in the gaols of Quebec and Montreal was diminishing, and of the proportion of Lower Canadian prisoners in the Kingston Penitentiary, the same could be said. He had equal satisfaction in saying, too, that in consequence of the legislation of the last three or four years, the expenses of the administration of justice in Lower Canada had been much reduced. In 1858 they had been \$60,000 less than in 1857; in 1859, \$50,000 less than in 1858. (Hear.) This should the more please the Lower Canadian members, because they had been reproached with the enormous expense of administering justice in this part of the Province. The measures of his Hon. friend, the Attorney General West, had, indeed, reduced the cost of administering justice in Upper Canada, but, somehow, perhaps because the people there read bad newspapers—(Hear and laughter)—crime did not seem to decrease. More than four-fifths of the inmates of the Penitentiary were Upper Canadians. The Hon. gentleman then read a number of statistics relative to the working of his system of the administration of justice, showing that a great number of cases had been tried before the Courts in the new districts, both Circuit and Superior. From this he argued that the decentralization of the law-courts had brought justice within the reach of many who had personally been, to a great extent, debarred from it. (Hear.)

Hon. Mr. DORION wished to know whether the Government intended to use the Fund in the new districts towards paying Jurors before the gaols were finished?

Hon. Mr. CARTIER—The resolutions would only be put into operation after the prisons in the new districts were completed, but he hoped all the gaols in those localities would be completed by the commencement of another year.

Hon. Mr. DORION—And would the Consolidated Fund continue to be charged with the same amount as at present until then?

Hon. Mr. CARTIER—Such was the intention.

Hon. Mr. DORION thought the disproportion between the amount to be paid by Quebec and Montreal, and the Country Municipalities in the same districts, was too great, and unfavorable to the cities.

Hon. Mr. CARTIER—Montreal contained more than one-third of the population, and supplied four-fifths of the prisoners of the whole district. The same observation applied also to Quebec.

Hon. Mr. DORION would further say that this system of direct taxation might, perhaps, be a necessity of the day, but it had been rendered so owing to the profligate extravagance with which the Government had spent the public money of late years, and added millions to our debt. He would not call for a division on the second reading of the bill, but would propose several amendments in committee.

To be Continued.

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Tuesday, March 20, 1860.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

(Concluded from our last No.)

Mr. PICHE said the Attorney General East had spoken of a number of cases as having been tried in the Circuit Courts, and the Superior Courts, but he had said nothing of the fees which were every moment exacted, the enormous sums which were thus paid, and for what? Simply that three or four lawyers might have official positions. Every body, in fact, who knew anything about the subject, exclaimed against the system of the Attorney General; which was retained, not because it was a good one, but because that Hon. gentleman was there on the Treasury benches to preserve it. Let them take a single case, in which judgment was allowed to go by default. Fees to the amount of \$16 were paid, even there, to Advocates, Prothonotaries, and Bailiffs; and when this amount was multiplied by the immense number of such causes tried, it would be seen what the cost of the country was. Then let them look at the contested cases, and these were of course more expensive still; it took almost a year to decide any one of them, costs increasing all the while, until the debtor fairly had to flee from the exactions extorted. When Judges took cases *en délibéré*, which was perhaps not so much the fault of the system as of their negligence, they took several months to settle them. And this was the admirable system so much lauded by the Hon. Attorney General East! But, again, full three-fourths of the cases brought into those Courts, were for sums under £15, and the parties to them were kept waiting day after day, while suits of greater importance consumed the time. Now, it was much better, if any were obliged to wait, that the wealthy should,—for the poorer classes, which

constituted the large majority of the litigants, were less able to submit to the prolonged delays. It was a monstrous system, and he knew of no class that approved of it, excepting the lawyers and officers of the Courts, who found their account in it. The Attorney General and the Government were all powerful, and however objectionable their measures might be, they found supporters regarded their interests as paramount to those of the country. On no other principle could he understand the conduct of such gentlemen.

Mr. LANGEVIN desired to make certain enquiries from the Attorney General, but, before doing so, would express his surprise at a remark of the Hon. member for Montreal, to the effect that he (Mr. Langevin) was prepared to support the Resolutions before he had heard them.

Hon. Mr. DORION explained that he did not say or mean anything of the kind, but he had said the Hon. member would be clever if he could make it appear reasonable that the cities should pay two-thirds of the Building and Jury Fund.

Mr. LANGEVIN thought he had not misunderstood the Hon. member. He would now be obliged to the Hon. Attorney General for a more definite statement of the proportions and amounts the cities of Quebec and Montreal would have to contribute respectively.

Hon. Mr. CARTIER—Well, the City of Montreal would have to pay a certain portion of the expenses of the Jail in the District, provided, however, that under no circumstances, the amount was to exceed £600; and Quebec would have to pay one-third less than this, or a sum not exceeding £400—the expenses of the Gaol at Quebec being one-third less than those of the Jail at Montreal.

Mr. LANGEVIN—Then, if he understood the matter right, the Bill would provide that the amount should be raised at Quebec by a special tax!

Hon. Mr. CARTIER—Yes.

Mr. LANGEVIN—Then, in virtue of the 115th Section of the Act, the Municipalities would have to pay their proportion?

Hon. Mr. CARTIER—It it were required to raise £15,000, the Municipalities would pay £5,000, and the Cities of Quebec and Montreal £10,000.

Mr. LANGEVIN—Well, Quebec would soon have to build a new Jail:

Hon. Mr. CARTIER—Yes, but under the resolutions, the site of the old Jail belongs to the Fund, and that upon which the present Jail stood in Quebec, was very valuable. It would be sold, and the proceeds would go towards the amount that the District of Quebec would have to pay. Then the Receiver General would issue Debentures for the balance as had been done in the case of the Montreal Jail, for the balance required, such Debentures to be the first charge on the Jury and Building Fund.

Mr. LANGEVIN observed that, by the 4th Resolution, and the 116th Section of the Act of 1857, if the Fund were too large, the Governor in Council could reduce it, and if too small, it might be increased. Would this be done in the proportions already stated? Again, the Petty Jurors were to be paid out of this Fund, but how was it to be done?

Hon. Mr. CARTIER—His Hon. friend had correctly apprehended his meaning, and as to the payment of the Petty Jurors, it would be done by the Judge's order. Those from a distance would receive such an allowance as the Court would deem reasonable, but not to exceed one dollar; and those residing within the limits of the City, Town, or Parish, in which the Court was holden, would be entitled to but one-half as much as the others. He was glad these questions had been asked, for it had enabled him (Hon. Mr. Cartier) to show that there were Funds available for the objects contemplated.

Mr. LANGEVIN said that the Resolutions involved the necessity of calculations which he could not proceed to make, but he would make them privately, and he had no doubt the Hon. Member for Montreal would do the same.

Mr. CHAPAIS feared that two of the Districts interested would suffer injustice under these Resolutions—those of Kamouraska and Ottawa—where Jails and Court Houses had been erected by funds derived from taxes levied on the proceedings, and he thought they should be put on an equality with the new Districts.

Hon. Mr. CARTIER said that those Districts had, in fact, been more favoured than that of Montreal, which had built an expensive Court House out of taxes upon the business of the District. Two thousand pounds had been granted to his District, and, besides, the proceeds of the tavern licenses had been also given it, as well as to Ottawa.

Mr. CHAPAIS would further observe that the District of Kamouraska had since been divided in two, and that the whole burden of the Court Houses and Jails now fell upon the old District.

True, they had had the privilege of issuing Debentures to the extent of £5,000, but they had, in fact, only issued £2,300.

Hon. Mr. LEMIEUX thought Kamouraska had no reason to complain. Montreal had built a large and costly Court House, but the Atty. Gen. did not propose to come to its aid, and now Quebec must do the same.

Hon. Mr. CARTIER—Yes, out of a fund.

Hon. Mr. LEMIEUX hoped that when the Jail at Quebec was built it would be done more judiciously than the Court House at Montreal, erected under the direction of the Board of Public Works.

Hon. Mr. CARTIER—The Hon. Member himself was, during the construction, Chief Commissioner of Public Works. (Laughter.)

Hon. Mr. LEMIEUX—Yes, but he had only followed plans previously determined upon. He would have to build a Jail, not simply for ourselves, but for a large transient population that came here in summer, not on business relating to the City merely, but to the whole Province, and by consulting the records it would be found that two thirds of the prisoners, lodged during the year, were strangers to Quebec—sailors and others of a similar class. On this account Quebec and Montreal, also, had a special claim. The Hon. Member then made some allusion to the clause regarding salaries, which, owing to the noise in the House, was not distinctly understood, excepting that he seemed to say that, while a change had been effected by reducing the emoluments of Prothonotaries, who pocketed large sums of money, equal sums were now absorbed by the subordinates, whose number and salaries had been unnecessarily increased.

Mr. CHAPAIS here returned to the subject of paying Petty Jurors, and said he thought it would be better not to pay them at all, since the Municipalities, in fact, would have to make the disbursements. (Cries of no, no.)

Mr. JOBIN stated a case when a lawyer had brought a suit in a Court of Superior Jurisdiction which had involved his client in heavy costs, and complained that the Prothonotary had objected to reduce them in conformity with the tariff of the Court in which the case should have been tried.

Hon. Mr. CARTIER had heard of the case but said the Prothonotary had no discretion to exercise in the matter, and it would be most dangerous to commit such power into his hands.

Hon. Mr. LEMIEUX agreed with the Attorney General, and said the clients recourse, in such a case, was against the lawyer.

The Resolutions were then read a first time and ordered for a 2nd reading on Friday next.

SUBSIDY TO OCEAN STEAMERS.

Hon. POSTMASTER GENERAL moved the third reading of the Bill, to grant additional aid to the Canadian Line of Steamers, and the extending of a Telegraph Line to the Straits of Belle-Isle.

Hon. GEO. BROWN regretted the course the Government had taken upon this subject. He considered the line a credit to the Province, but did not want to pay too dear for it. He thought even the grant proposed would be insufficient for the purpose. But the House had not received the information desired on the subject, and he should, therefore, vote against the Bill.

Hon. POSTMASTER GENERAL moved, in amendment, that no greater sum should be paid to the proprietors of the Steamships, than that which they demand on entering into the contract of 1st May last.

The amendment was agreed to.

The SPEAKER then put the question on the third reading and the House divided.—Yeas, 68 ; Nays, 32.

SALE OF INTOXICATING LIQUORS.

On motion of Hon. Mr. GALT, the House went into Committee on the Resolutions to prevent the unlicensed sale of intoxicating liquors in the unorganized tracts of the Province. The Resolutions were carried in Committee, and the report was ordered to be received by the House on Friday next.

THE IMPERIAL GUARANTEED LOAN.

Hon. Mr. GALT moved the second reading of the Bill, relating to the Sinking Fund of the Imperial Guaranteed Loan.

Hon. Mr. BROWN said, in rising to offer some remarks on the recent financial operations of the Government in England, and in reply to the speech of the Hon. the Finance Minister, he was perfectly well aware of the difficulties before him. He knew well how effective was the eloquence of the Minister of Finance. He knew well the ability with which he put all his statements before the House. And he knew well the readiness with which the House was prepared to receive the statements, and the calculations of the Hon. gentleman. He was also quite aware that in matters of figures, it was always difficult to secure the attention of the House—also, that he who brought before the House any proposition by which money was to be made plentiful and who drew a flattering picture of the state of the public finances, must always receive a far better attention than he who gave the other side of the picture. Trusting, however, to receive some attention, he should endeavor as briefly as possible to shew his reasons for coming to the conclusion, that not only had the Hon. gentleman's operations in England failed to be of that successful character which he has attributed to them, but that they had been of the very opposite character, that they were not worthy of the slightest approbation on the part of the House. (Cheers.)

Hon. S. SMITH (ironically) Hear! hear!

Hon. Mr. BROWN said the Minister of Finance was heard with great patience by that side, and he trusted he should receive the same forbearance. (Hear, hear.) When the Minister of Finance took his seat, and, indeed, through the whole of his Address, he received the hearty

plaudits of the supporters of the Government. Now he would ask those Hon. gentlemen, if, after having heard that speech, after they had had the statement of the Hon. gentleman printed, and all the figures put carefully before them, prepared, and checked, and remodelled as they had been for the eye of the public—not unfairly, however, he did not say that—he asked if one of those Hon. gentlemen, understood the exact effect produced by the Hon. gentleman's operation.

Mr. SIMPSON—Hear, hear.

Hon. Mr. BROWN—The Hon. member for Niagara cried "hear, hear," as if he understood it. (Laughter.) He should be glad to sit down and give him an opportunity of rising to state, if he could, what had been the results of the Hon. gentleman's operations.

Attorney-General MACDONALD—It would be a great relief to you if he did

Mr. BROWN was not surprised that the Attorney-General said it would be a relief to him. He thought it impossible that he could have waded through the whole of the Hon. gentleman's figures. He admitted he had some difficulty. Taking the scheme, not as they wanted to get it from returns sent down, but from the very able Address of the Hon. gentleman—for he must admit it was exceedingly able, whatever objections might otherwise attach to it—in reading that Address, he had to twist and turn it every way before he could comprehend what the Hon. gentleman was driving at. He so mixed up one thing with another, the old Sinking Fund with the new, the paying off what was an actual charge on the Province, and what was voluntary, in paying off the debt—what had actually been done with what he hoped for—he so mixed up things together, that it was absolutely impossible, without a great deal of labour and sifting of figures, to find what were the results of the Hon. gentleman's operations. He trusted he should be able to shew clearly that the Hon. gentleman's scheme from beginning to end, had been a failure. And, in the first place, he desired to call the attention of the House to this—that there were two things in his scheme entirely separate and distinct, which the Hon. gentleman managed to mingle together from first to last. As every one knew, when Lord Sydenham was in this country, we obtained a loan of £1,500,000 stg. to build public roads. Lord Sydenham obtained for us the endorsement of the Home Government, and in consequence of that endorsement, we got the money at four per cent. interest; the bargain being that, in addition to the interest, we should pay four per cent. into a Sinking Fund, for the redemption of the debt. This was invested in three per cent. consols. By an arrangement made in 1858, the amount to be paid into the Sinking Fund was reduced to two per cent., so that before the Hon. gentleman went to England, we were paying yearly £60,000 interest, and £30,000 Sinking Fund. The Sinking Fund had gone on accumulating till it amounted to nearly £800,000. It was no new idea of the

Hon. gentleman that a change might be made in the mode of investment. It had been the idea of Mr. Hincks, of Mr. Caley, of everybody—he heard the Attorney General West often suggest how great a loss we sustained in this Sinking Fund being invested in three per cent. consols, while we were borrowing the money for it at five, and that we could invest to better advantage in our own securities, and save a considerable sum annually. The Hon. gentleman went to England and induced the Home Government to consent to a change of the securities in which the Sinking Fund was invested. He induced them to allow it to be invested in India Stock, which yielded five per cent., and thereby there was a saving—no doubt there was a gain on that. (Ministerial cheers.) The Hon. gentleman is entitled to all the credit of that operation. But they would observe there was nothing original in it. It was what every one knew ought to be done, and the Hon. gentleman might as well have effected it, sitting in his office in Quebec. He might have written to England and negotiated the thing, obtaining the consent of the Lords of the Treasury, without going there himself. But he wanted to impress on the House, that what was original in the scheme, entirely did away with the advantage thus gained; and he should be bound to shew, that not only did we lose the whole advantage of it, but that the scheme from beginning to end had been an utter loss to the Province. He was willing to concede the whole benefit that could be claimed as resulting from the first part of the operation—for there was nothing original in it—it was what his predecessor, and his predecessor before him, had conceived—although perhaps the Hon. gentleman brought that persuasive eloquence, which he had at his command, to bear on the Lords of the Treasury, and to that extent he was entitled to the credit of it. He should shew what was the effect of the operation. Under the old arrangement,

India Bonds, £174,500 at 5 per cent,	£6,980
Consols, 619,030 at 3 per cent,	18,571

£25,551

The amount we were getting yearly from the sum in the Sydenham Sinking Fund. Under the new arrangement, India Bonds, £174,500 at four per cent, - - -	£ 6,380
India Bonds, £573,750 at five per cent, - - -	28,687

£35,667

Gain on investment, - - -	£10,116
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He hoped, however, no one would run away with the idea that this was a permanent gain. The Hon. gentleman so mixed things up, as to induce the House to believe that he had effected this saving of £10,000 for all time to come, whereas, it only extended to the time when the Sydenham bonds became due. £600,000 fall due in 1863. Hon. gentlemen would besides see

there was a draw-back to this operation, which makes the results by no means so flattering as he would picture them. For, what was the reason that he was able to buy five per cent. India Bonds at 102½, when three per cent. English Consols were worth 94? Simply, because the Consols were considered first rate securities, while the India Bonds were considered second rate securities. For these new securities, the Hon. gentleman had not the responsibility of the Imperial Government. He had simply, the guarantee of the Government of India, whose public debt amounted, at this moment, to one hundred millions sterling. In 1856, the debt was fifty millions, but it had increased in three or four years to double that amount. And, what was worse, the deficit in the annual revenue of India in those years, had never been less than fourteen millions. And if any convulsion were to occur, the value of these securities might be very seriously depreciated. If worth 102½ to-day, they might be worth only 95 to-morrow. If anything occurred to prevent the India Government from obtaining a revenue, the value of these securities would be seriously affected. It had been asserted that the British Government was responsible for these securities, but that had been denied by the British Government. When asked in the House of Commons, if they would meet these obligations, they said "No." Therefore, though he (Mr. Brown) thought the Hon. gentleman was right in effecting this change, they could not fail to see that there was a reason for the profit he made, and that the character of the securities was the cause of it. But he desired to impress upon the House, that the Hon. gentleman might have carried out that operation without going to England. Or, he might have gone to England and completed this operation, and obtained a good end, and gone no further. But he went further, and he (Mr. Brown) would say every step he took after that was a loss, and that he could not get away from the conclusion that that part of his scheme which was original, was a loss to the Province. It would have been far better for the country had he never gone further. The rest of his scheme consisted of three parts. In the first place he determined to make up the Sydenham Sinking Fund at once, instead of allowing the Bonds to be paid off as they reached maturity. In the next place, he took the six per cent. debt of the Province, £7,223,000, and determined to give five per cents. in exchange for these sixes; proposing to give £8,081,000 of fives for £7,223,000 of sixes. Let it be observed, he might have carried out this operation without the other, in reference to the Sinking Fund, or the Sinking Fund operation without that. But, thirdly, he went to the Stock Exchange and borrowed £2,800,000, selling for cash and Bonds that amount of five per cent. Debentures. He might have done that, and neither of the other two. The three operations were quite distinct, and not one of them had any connection with the change of the securities in the Sinking

Fund, by which he made a gain of £10,000. Now, in the first place, let them see the effect of the first part of the scheme, the making up of the Sydenham Sinking Fund at once. The Sydenham Debentures fell due as follows:—

£300,000	1st January, 1863
300,000	1st July 1863
300,000	1st April 1864
200,000	1st January, 1865
200,000	1st April 1865
60,000	1st January, 1856
140,000	1st January, 1869

£1,500,000

By the 1st April, 1864, £900,000 would have been paid off, and by the 1st April, 1865, £1,300,000, leaving only £200,000. Then the Hon. gentleman said—"I have £66,000 a year to pay as four per cent interest on this million and a half, and in addition to this £30,000 towards the Sinking Fund." Well, what he [Mr. Galt] proposed was this. He would borrow enough to make it up at once. There was only £800,000 in the Sinking Fund, and he would add £700,000 to it; so that having made up the million and a half, the result would be that the British Government could not ask us to pay this £30,000 any longer. He would make up the Fund at once in India Bonds, and the securities being placed in the hands of the Lords of the Treasury, they would be there ready to meet the bonds when they matured. In this way he would save the Province that payment and would get £75,000 a year, five per cent on a million and a half India Bonds; they would gain £15,000 by that, and would get quit of the Sinking Fund, but this saving would only continue till those debentures matured in 1863, 1864, and 1865, when the money lying in India Bonds at five per cent. would be paid out, and the advantage would cease. He admitted this was an original conception, and the Minister of Finance was entitled to the whole credit of it. He looked upon it as one of the most absurd schemes ever a man went into. If Hon. members would take up the speech of the Inspector General as reported in the MIRROR OF PARLIAMENT, they would see what he said, Page 12:—"The result of the operation, as regards the Sinking Fund, I will take this opportunity of stating to the House. The House will remember that the interest on the Imperial Loan is 4 per cent. on £1,500,000, or £60,000 a year. The interest on the India Stock and Bonds is £73,255. We have to pay, therefore, £60,000 while, we receive £73,255, making a yearly gain of £13,255. So we gain nearly $\frac{2}{3}$ per cent. per annum, until the amount has to be applied in payment of the Imperial Loan. As these payments are made, the annual gain will, of course diminish. The final result is that a gain of interest will be made during the whole period, of £53,273 2s. 6d. stg., and there will be a further gain on the principal, of £8,725; that being the discount at which we obtained the India Bonds. These we took at 95, and they were payable in 5 years at buyer's option, or in 7 years with-

out option—the Government will, of course, avail itself of the option, as the Funds will be required at the end of the shorter period. The sum of these two amounts is £62,098, stg., or \$302,210, which is therefore the absolute gain the Province makes." Now one would suppose it was his Sinking Fund scheme that produced that gain, whereas he was going back simply to the gain that was made by the change of securities, while, as he (Mr. Brown) should show, his own part of the scheme, that which was original, did away with all the advantage of that gain. The Hon. gentleman proceeded—"We had formerly to pay as interest, and in contributions to the Sinking Fund to the Imperial Loan, £90,000, stg., a-year. Against that we have to pay 5 per cent. interest on £707,000, or £35,233 7s. 6d., making a reduction of the annual charge in connection with the Imperial Loan of no less than £54,767 stg., which, added to the average profit on the new investment of £10,000 stg., shows £64,767, or \$315,200, as the amount of relief we obtain from these arrangements." Now this was an entire fallacy, and the Hon. gentleman must have known it was a fallacy when he made his statement. The fallacy was in a great measure contained in the last words of the extract he had read. The Hon. gentleman knew or ought to have known that it was not five per cent. on £707,000 they would have to pay, but five per cent. on £800,000. The Hon. gentleman shook his head. Perhaps it was as well that he did not know it when he made that statement. The same statement was repeated on page 16, and it contained the error which laid at the foundation of the whole of his calculation. He made the same statement in his proposals issued to the Stock Exchange, but after his scheme was out, the matter was entirely changed, the figures being completely altered by the effect of the operation. The Sinking Fund was made up thus. The Hon. gentleman bought £174,500 of four per cent. India Bonds for £165,428. He should give the Hon. gentleman the benefit of that operation, and the profit made by it, although the purchase was effected by the Agents of the Province before he went to England. Then £1,000,000 India five per cent. Bonds were bought for £1,025,000, and he intends to buy £325,500 for £333,637—paying for the £1,500,000, in all £1,524,065. The money to buy these securities was obtained as follows:—The Hon. gentleman sold £114,000 Consols for - - £105,428 held 60,000 Canada Exchange for - 60,600 sold 619,030 Consols for - - 588,079

sold £793,030	-	-	-	£753,507
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The whole money he got, therefore, was £753,507, and instead of wanting £702,000 to make up the balance of the Sydenham Loan, as he represented in his address to the Stock Exchange, and in his speech in this House, he really wanted \$746,493. Mr. Brown then stated that to obtain this £746,493, the Finance Minister had to sell £800,580 of his five per cent. Stock—that Stock being issued at two and a half discount,

one per cent. being allowed Barings and Glyns for commission, and one quarter per cent. for brokerage, and a premium being paid for the India Bonds of £24,500. To get India Bonds, bearing on their face the amount £746,403, he had to sell five per cent. Stock to the amount of £800,580. This was the amount he had actually to sell, to make up the million and a-half Sydenham Loan, instead of £707,000, as the Finance Minister had represented. After giving some further calculations as to the effects of Mr. Galt's operations with regard to the Sydenham Loan, Mr. Brown said, the results of letting the debt mature, and be paid off under the present arrangement, contrasted with the results under Mr. Galt's scheme, would stand thus:—

Paid in Cash from 1860 to 1869, by allowing Sinking Fund to Govt.	£525,410
Paid in same time by Mr. Galt's scheme	443,444

Less paid under Mr. Galt's scheme	£181,966
Sum on new Sinking Fund, 1st Jan. 1869	50,309

But Outstanding Debt—	
Mr. Galt's scheme	£800,580
Outstanding Debt—old plan	400,000
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	400,580

Clear loss by Galt's scheme	£168,305
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Even under this plan, the loss to the Province is very great. The difference between this plan and the other, arising of course from the comparatively short period during which the loss of principal and interest by Mr. Galt's ruinous sale of new Debentures had time to accumulate. Look at it in any way you can, the first part of the Hon. gentleman's scheme was a reckless foolish proceeding, without argument to justify it. But now to examine the next proposition of the Finance Minister—namely the conversion of five per cent. Provincial Debenture into five per cent. Stock or Bonds, redeemable in twenty-five years at the option of the Government. These Debentures mature between the year 1874 and 1884—they amount to £7,223,600—they bear a large premium in the money market, and the Hon. gentleman proposes to redeem them now by giving in exchange for them such an amount of five per cent. Debentures as would be equal to the present named value of sixes. Thus for £7,223,600 of sixes, he proposes giving £8,081,000 of fives. And how does the Hon. gentleman justify this operation? Why, he says the interest he now pays is six per cent. on £7,223,600, or, £433,000 annually, while five per cent. on £8,081,000 is but £404,000, or an annual saving of £29,000. Now sir, this would be quite true if the debt was never to be paid off. But even he does not propose this. On the contrary, he pledges the country to pay annually the sum of £60,000 towards the extinction of the debt. The increase of the debt from £7,223,600, to £8,081,000, therefore must come

into the calculation; and if we distribute that increase of £857,400 over a period of 25 years we have this result:

Five per cent. on	£8,081,000	-	£404,050
Twenty-fifth part of	857,400	-	34,296
			<hr/>
			£438,346
Present charge, six per cent on	£7,223,600	-	£433,416

Annual loss by operation,	£4,930
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and this does not exhibit the worst feature of the transaction. Even had the Hon. gentleman's scheme been a good one, there was no hurry about its consummation. No portion of the Debentures matures until fourteen years after this date, and they extend from that to twenty-four years. Now why redeem them now? Why redeem them now at their market value, when at maturity they could redeem at their face value? Why give five per cent. for them now when there is every probability, that long before their maturity, we will be able to borrow at four per cent., and even less? The Hon. gentleman himself admitted this probability. It was then almost utter insanity to throw away almost the certainty of so favorable a conversion, some few years hence, to tie up our hands so that no reduction in the rate of interest could be attempted for twenty-five years to come, and that without gain by the operation, or even relief for the hour. The pretensions that any money could be made by the conversion, was utterly preposterous. The Hon. gentleman professed that the amount of fives offered in exchange for sixes, was the precise value of the two securities—how then could there be a profit on the exchange? [Hear, hear.] But it was said that if there was no profit, there was a relief—a postponement of present obligation. Not so—for by the very arrangement by which it is proposed to gain £404,050 annually, in exchange for £433,416, now paid,—one half per cent. on the whole debt of the Province, or £60,000 a year, is bargained to be paid annually into the Sinking Fund for the redemption of the debt. There was therefore not even a relief—but on the contrary an increase of the national burthen in addition to the large increase to the debt. It was utterly impossible that there could have been any gain in the transaction—but very certainly there was a very large loss. And as to the proposed Sinking Fund for which the Hon. gentleman took such a vast amount of credit to himself, he (Mr. B.) was free to admit that he did not share in his admiration of that scheme. To establish a Sinking Fund for the payment of the debt would be an utter delusion, unless the annual sum to be paid into the Sinking Fund came from the ordinary surplus revenues of the State, over and above all expenditures. To pay £60,000 into the Sinking Fund, and at the same time borrow £60,000 for a public purpose, would be the height of absurdity. By the establishment of a Sinking Fund, it is to be presumed that it is the intention to meet all

the ordinary expenses from the taxation of the current year, and raise from the people, in addition, an annual sum towards the reduction of this debt. If that was the case, he would heartily endorse that policy, and he would hope even against hope that it would be adhered to. But as the Hon. gentleman's mode of appropriating the money so paid, annually, towards the reduction of the debt—that is a totally different matter. He would like to know whether the Hon. gentleman stood pledged to the Stock Exchange to leave the annual payment of £60,000 accumulating in a Sinking Fund until it amounted to a sum sufficient to pay off the whole debt—or whether he had the right to pay off the debt as he went along, provided the half per cent. was annually so applied?

Hon. Mr. GALT—It is to go on accumulating.

Hon. Mr. BROWN—This being the case the result would be, that, on a stream of prosperity once more setting in, the Province would have to go into the Money Market annually as the purchaser of her own and other securities to the extent of \$300,000. That very fact would increase the value of our Debentures—they would rise to a considerable value before many years elapsed, and the Province would soon stand in the very position regarding the new Sinking Fund, as it recently held with regard to the Sydney Sinking Fund. That is, it would leave an immense sum useless, at a much smaller rate of interest than she would be bound to pay for twenty five years, by the insane conversion scheme of the Finance Minister. How infinitely better would it have been to have set aside a sum annually towards the reduction of the debt—either by bringing the Provincial Debentures into the Market, or investing them subject, to our own control, in preparing for the maturing of the heavy obligations of the Province in 1874, and following years. As the maturity of these obligations approached, arrangements could have been made to them, redemption under all the advantages which their improved credit would have afforded them. He was satisfied that the more this conversion scheme of the Hon. gentleman was examined, the more clearly it would be seen to be entirely fallacious. So far, however, the thing had been very harmless. From the shout of triumph raised by the Hon. gentleman and his advisers, one would suppose that not only was the scheme calculated to raise the Province in one hour out of all its difficulties, but that it had been entirely successful. It was, he must confess, exceedingly amusing, to him at least, to hear the Finance Minister drawing a glowing picture of the success of his grand conversion scheme, and exclaiming in a burst of enthusiastic self-admiration, "Fifty years hence the people of Canada will look back to the year 1860, and to the men of this time, with admiration and gratitude for the great financial policy they then initiated!" Now, the sober fact was that thus far the whole scheme of conversion had been a complete and miserable failure. Of the whole amount pro-

posed to be converted by the Hon. gentleman—or some fifty millions of dollars—the entire sum actually converted by the public creditor, had been £43,056 in Great Britain and £800 in Canada! (Hear, hear.) True, the Law Society of Upper Canada, and the Bank of Upper Canada, and three or four other institutions had exchanged Debentures which they held; but as regarded the public the entire amount converted thus far had been precisely £43,856. But there was another branch of the Hon. gentleman's conversion scheme which deserved attention. A large amount of Municipal Loan Fund six per cent. Debentures were in the market, and the Hon. gentleman proposed to give in exchange for them five per cent. Provincial Bonds; by which, we were assured, a direct gain of one per cent., or some \$125,000 a-year, was to be realized. When the Hon. gentleman, last year, made this proposal, he (Mr. Brown) ventured to express a doubt whether the holders of these securities would exchange a £6 annuity for a £5 annuity—but the Hon. gentleman confidently asserted that they would all gladly seize the offer as a great boon. The result has proved the utter fallacy of his expectations. With the exception of the transaction we had named, with the Bank of Upper Canada, only an insignificant sum had been as yet exchanged. And the conduct of the Hon. gentleman showed the hopelessness of the scheme. What was now his position? Finding that the holders of these Municipal Bonds would not accept £5 in payment of a debt of £6—the Hon. gentleman resorted to threats of repudiation to force them into his terms. (Hear, hear.) He actually declared, from his place as Finance Minister of the Province, that unless they consented to accept his terms, the Provincial Government would repudiate responsibility for these Debentures, and allow the holders to look to the Municipalities for payment. A more scandalous declaration was never uttered by a man in the position of the Hon. gentleman—or one more calculated to destroy the good name Canada had ever maintained before the world. These Municipal Debentures were originally issued solely on the credit of the Municipal Fund—but the Hon. gentleman (Mr. Galt) while in Opposition, in 1856, forced the Government to admit direct responsibility for them—and in consequence of that admission the price rose, and many transactions were entered into in reliance on the good faith of both sides of the House. The Government went on regularly providing the interest for these Debentures without question or legislation; and so entirely did the Province assume direct responsibility that, without consulting the Bondholder the Government actually legalized the repudiation of their contracts by the Municipalities, and released them by statute from the conditions on which the Debentures were issued to the public. (Cheers.) Nay, the Government introduced and carried a second Bill, still further modifying the terms of the original contract—in fact, completely destroying it—and this without any pretence that the Bondholders had

the slightest interest in it. And now, after destroying their security, after releasing the debtor—the Hon. gentleman turned on the creditor with a proposal—here is £5 for your £6, and if you don't take it you shall have nothing! You may make the best you can out of the Municipalities, but you shall not look to us. A more base declaration was never uttered in that or any other Legislative body. What must be thought of us abroad, when such a threat dared be uttered by the Finance Minister of our country? The Hon. gentleman (Mr. Galt) declared that when he brought down his Supply Bill, he should ask the House to provide only to the 30th June for the interest on those Municipal Bonds, and leave the second half year unprovided for. He dared not carry out such a threat. Little confidence as he (Mr. Brown) had in the firmness of the House to resist any demand of the Government, he would not believe that a proceeding so disgraceful to our country would, even there, be listened to with patience. He well knew the Hon. gentleman had no intention whatever of carrying out his threat. He well knew that he merely intended his words to be wafted through the Press to the holders of these Bonds, and that in the alarm the declaration would cause, his composition of eighty cents in the dollar might be accepted, and his scheme saved from utter failure. But at what a sacrifice of national honor would the pecuniary gain be made? Were we envious of the reputation of the South American States? Had we forgotten the position of Pennsylvania, some years ago, when the finger of scorn was levelled at her over the whole civilized world? And yet, what baser act than this of the Hon. gentleman opposite, were any of them ever charged with? He (Mr. Brown) had shown that the completion of the Sydenham Sinking Fund, before the expiration of its natural term, caused a heavy loss to the Province; and he had shown that the proposed conversion had, so far, been an utter failure. It now remained to examine the third feature of the Hon. gentleman's scheme—his loan of £2,800,000 on the London Stock Exchange. The first point he (Mr. Brown) desired to make in regard to that Loan, was the total absence of all explanation or palliation for the negotiation of so large a sum. The purposes for which the money was alleged to have been borrowed, were these:—

1. To make up Sydenham Sinking Fund. £ 700,000
 2. To reimburse Provincial chest for debentures redeemed in 1859, £ 400,000
 3. To redeem other sustaining debentures. £1,250,000
 4. To pay Seigniorial indemnities, £ 250,000
 5. For Public Buildings at Ottawa, £ 200,000
- £2,800,000

He (Mr. Brown) had shewn how unnecessary, how disastrous was the result of the operation for which the first of these sums was raised, and how greatly better it had been if the money had never been borrowed. And as to the second

and third items, not the slightest pretext had been offered. If the parties were willing to take five per cent. bonds instead of six—why borrow the money, and make a large loss in the borrowing? Why not hand the bonds over to the parties and let them negotiate them for themselves if they desired. For those three sums, amounting in all to £2,350,000, not the slightest necessity existed for going to the money market. As to the other two items, no doubt the money would be required, but not, he apprehended, this year; and it was folly to borrow more than a year before the cash would be required. The result of the transaction was that the Hon. gentleman had an immense sum in the hands of the Finance agents at a low rate of interest, for which he could not find any use. A more improvident transaction had never been undertaken. But his second enquiry was, if the Hon. gentleman must needs borrow so vast a sum, why borrow it in the way he did? Why not offer it to public tender? Why fix an arbitrary price as the market value of his debentures? He told us that Messrs. Baring & Glynn told him that such securities were never sold by public tender, except by the British Government. Very likely; Baring & Glynn were the very men to tell him so. By inviting tenders, the highest market price would have been obtained, and their chances of speculation spoiled. By fixing a price, they secured a large profit on the £500,000 they bargained to retain for themselves, and they secured the distribution of the whole of the loan among their own particular friends. Such advice from such a quarter was not, one would fancy, altogether free from bias. In the face of the Hon. gentleman's statement he would not positively assert it as a fact, but he (Mr. Brown) had the strongest impression that he had frequently seen advertisements in the London papers inviting tenders for money securities. In the neighboring Republic, this was the ordinary system, and was clearly the fairest and best for the seller, and he (Mr. Brown) did think the Hon. gentleman highly censurable that he did not adopt it. But if he was determined to fix a price at which he should sell the Debentures, why did he fix it at 97½. He charged the Finance Minister with being guilty of a direct breach of faith with this House, in fixing the price at that rate, as he had distinctly stated, when the measure was before the Legislature, that the stock would not be sold below par. Indeed an amendment, framed to provide for this, was withdrawn on the assurance and statement of the Hon. gentleman that it was absurd to suppose it would be sold below par. He charged Mr. Galt with sacrificing that £2,800,000 of five per cent bonds at a price far below their fair estimated value. They were now selling at 100½ to 101. A five per cent at 97½ he had stated was equal to a six per cent at 111½. Why did he sacrifice the loan at that rate, when the value of sixes at the time, according to the Hon. gentleman's own statement, was 113 to 114. Mr. Galt would say he could not put so large a sum on the market unless he

gave a large commission and a large chance for Brokers to speculate. In other words, the Hon. gentleman first made the operation large unnecessarily, and then made the largeness of its amount an excuse for sacrificing it at a price considerably below the market rate. In much worse times the Hon. gentleman's predecessor had sold five per cents at 100½, and he believed that our old five per cents, of which £279,000 were afloat in England, had never yet been sold at a discount. Why then was this large amount offered at £2,800,000?—being a loss of £95,000. The Hon. gentleman had given as one reason, that he desired to convince the capitalists of England, that our five per cents. were a better investment than sixes. He thought that, for the sake of this, to submit to a loss of £95,000, was paying too dear for the whistle. Mr. Brown gave the figures by which he made out this loss of £95,000, bringing out the result that, for the Stock issued to the amount of £2,800,000, the Finance Minister had actually obtained only £2,705,000. He then showed how this amount had been applied, stating as the result that £541,332 was left yet to be disposed of, from which he inferred, that the real object of the scheme was to get money into the hands of the Government for other objects than those which had been stated. The Finance Minister's operations, he contended, had resulted in a large increase of the debt of the Province. Excluding the Sydenham Sinking Fund, the debt, had these operations not taken place, would now have been £10,867,943. The Hon. gentleman had now made it £11,976,622, showing an increase of the funded debt of £1,108,679. When the Hon. gentleman went to England, the net annual interest amounted to £629,678. Under the operation of the new scheme it would be £679,043, an increase of £49,365. Mr. Brown then criticised the new arrangements made with the Financial Agents of the Province, Messrs. Barings and Glyn. He said they had realized a profit of £46,328 out of the negotiation of the loan—very good payment for the use of their names for a week—and contended that Mr. Galt had effected a merely nominal saving, in arranging that they should only receive 1 per cent., commission in negotiating a loan, no commission being allowed on its redemption. He said the commission of 1 per cent., on payments into the Sinking Fund, was equivalent to a commission on the redemption of the debt, only that it was paid to them annually, instead of at the end of the period. In conclusion he expressed his conviction, that if Hon. gentlemen would examine the whole scheme in connection with the calculations he had laid before them, they must arrive at the conclusion, that the whole transaction had been a most unfortunate one for the country. He believed he had shewn that the conversion of the debt had been an entire failure, and that if it had succeeded, it would have been of no gain, but a loss to the Province, as it prevented their getting the advantage of the improved credit, which they hoped the Province would attain in the

course of a few years; that by closing, now, the Sinking Fund for the Imperial Loan, there had been no gain but a great loss; that the attempt to repudiate our obligations with regard to the Municipal Loan Fund, was extremely reprehensible, and a proposition not to be sustained by this House; that the loan of 2,800,000 was uncalled for and unjustifiable; that the Hon. gentleman did not require so large a sum of money, and that, if he did require it, he did not issue the Stock for the amount at its fair value; and that the arrangements he had made with the Financial Agents of the Province, were not at all creditable to him as a Financier. Such being the nature and results of the scheme, he thought the tone in which the Hon. gentleman came to the House, and claimed as a triumph, what must ultimately be very much to the disadvantage of the Province, was altogether unjustifiable. (Cheers.)

Hon. Mr. CAYLEY remarked that the Hon. Member for Toronto had commenced his elaborate performance, upon which he must compliment him, and which exhibited little of weakness of voice or ill health, by challenging the House as to whether, after all they had heard from the Hon. Finance Minister, aided by the statements he laid before them, they had been able to make head or tail of them. And then he immediately disposed of the doubt he had raised by shewing that he had understood, and proved, and sifted the whole scheme, and had proceeded to expose all the supposed fallacies. The Hon. Member for Toronto charged the Finance Ministers with mixing up the old Sinking Fund with the new, and the new debt with the old, purposefully, to stultify the public. He thought the palm of stultification had clearly been borne off by the Hon. Member for Toronto, who was a perfect Babbage Machine, barring its accuracy, and he, in his turn, would challenge the House to say whether any Hon. Member of it entertained the idea that the Hon. Member for Toronto understood the array of figures he had produced. He would not forestall the explanations which, no doubt, the Finance Minister would offer to the House upon the debate closed, he would simply state the impression formed upon his own mind, and the conclusions he had arrived at with reference to the Finance Minister's operations in England. The Finance Minister stated in his opening remarks, that he had two objects in view in his mission to England. The one, to establish a new Canada Stock, in such a shape as to make it a favorite stock; the other, to reduce the present demands on the public purse. In the papers laid before the House, and in his Honorable friend's speech, they had the results of that mission clearly brought before them. They had before them the terms on which the Canada loan was effected. Its success, as a financial scheme, was evidenced by the fact, that it was placed on the market on more favorable terms for Canada, than the India five per cent. for the Stock for the Indian Government. (Hear, hear.) That it was preferred to other Canada Stocks, was shewn by the quotations, that it could not

not now be bought in the London market for less than five, or over five per cent interest to the purchaser, while the old sixes had now reached a figure to not less than five and an eighth per cent interest to the holder, or under the most favorable sales, a fraction over five. (Hear, hear.) Another very valuable feature of the new Stock, was that being irredeemable, except at the option of the Government, Canada could not be exposed to the contingency of having to pay it off on a fixed day, and effect a new loan under unfavorable circumstances. (Hear.) The Finance Minister's second object was, to lighten the present demand on the public purse. And, from the fact that his negotiations resulted in a postponement of the Sinking Fund for a term, or in its being spread over a longer period, we could not deny him the merit of, at least, partial success. But what he had achieved would admit of no such qualified expression. (Hear, hear.) The Finance Minister had not only lightened the present demand on the public chest, by putting an end to the periodical payment to a Sinking Fund, but he had, by obtaining the consent of the British Government to the transfer of the investment for the three per cent. Consols to the India five,--a consent reluctantly given--effected a positive cash gain to the Province of upwards of sixty thousand pounds sterling. (Hear, hear.) Under the old arrangement of the Sydenham Loan, we had to pay ninety thousand pounds a-year till the whole was paid off. Under the new, we paid thirty-six thousand a-year. Under the old arrangement, we were paying four per cent. for the Sydenham Loan, and investing the Sinking Fund at three per cent. Under the new we continue to pay four per cent. for the loan, and had invested the Sinking Fund at five. By this change of investment we had made a positive cash gain as he before remarked, of upwards of sixty thousand pounds sterling. By the change of system we had reduced the present pull upon the Exchequer, and for six years to come, by a sum not less than sixty-four thousand pounds a year.—So far then, in what had been achieved, the Finance Minister had been eminently successful, but his scheme did not stop there. He had made a proposition to the public, the holders of our debentures, for their redemption, and devised a scale of rates for their conversion, which, if acted on--and recent advices justified the belief that they would be acted on--would effect a further saving to the Province, while it provided, by a small annual additional charge, for the extinction of the entire debt of the Province within the period of fifty years. (Hear.) It was not necessary to go further into detail upon the calculations by which the Finance Minister has established these results, and perhaps he should not have attempted to occupy the attention of the House at all on the points which the Finance Minister had so ably handled, handled, and on which he had so clearly explained his views, had it not been for observation of the Honorable member opposite,

the other afternoon, "that he (Hon. Mr. Brown) had no doubt that he (Mr. Cayley) equally with himself had, at a glance, detected the fallacies of the Finance Minister's scheme." Flattered by the Hon. gentleman's pointed allusion to himself, he had been induced to examine the Finance Minister's scheme with the closest scrutiny. That scrutiny had resulted, he must admit, not in the pleasurable excitement of finding a flaw, but on the more sober, yet far more enduring, satisfaction of ascertaining that the credit of Canada had been maintained, and her financial position improved, by the able and statesmanlike scheme of his Honorable friend. (Applause.)

Hon. Mr. DORION said of course he could not go into the details of all the statements of the Minister of Finance, but yet there were a few salient points of the scheme on which he might venture to offer a few remarks. For instance, the Hon. gentleman said that the burdens of the country would be very much diminished, because the Sinking Fund of £30,000, upon the Imperial Guaranteed Loan, was to be replaced by an annual Sinking Fund, upon the whole debt, of two per cent., which would amount to £60,000 per annum. Here was plainly and unmistakably an increase of £30,000 a-year; so in what way the country was benefited he could not see. As to the other operation of paying a loan at 4 per cent., and borrowing money at 5 per cent., he must confess he could not, in this case either, see the benefit of it. True, he got 5 per cent. India Bonds, but then there was the brokerage of 1½ per cent. in addition to the loss of one per cent. upon the 5 per cent. bonds. It appeared that the Minister of Finance wanted £200,000 for the Public Buildings at Ottawa, and £250,000 for the redemption of the Seigniorial Tenure---£450,000 altogether. To meet this outlay, he purchased Debentures to the extent of £850,000, involving a loss of 2½ per cent., three times over, or 7½ per cent. Indeed, no stronger proof could be adduced of the failure of the operation than the fact that Hon. gentlemen, now that that he had got the money, did not know what to make of it. The money was in the hands of the Financial agents, to be loaned by them at the minimum rate of interest allowed by the Bank. There was another part of the scheme which certainly did not appear to him quite so clear as the Hon. Minister of Finance, and the Hon. member for Renfrew would make them believe. He could not understand how, by getting the exact equivalent in 5 per cent. bonds of that portion of our debt bearing 6 per cent. interest, we could, in 44 years, benefit to the extent calculated by the Hon. gentleman. It was, no doubt, the fact that if the amount of our capital debt was increased, as it must be by the conversion of the 6 per cent. into 5 per cent. debentures, the annual interest would be diminished. Where, however, was the advantage of this, unless they did not intend to pay the debt? They could not possibly get anything by the operation, because the capital would be much increased; the result must, in the end, be the same. As to the Sinking Fund,

no doubt the Finance Minister was entitled to some credit for the manner in which he had effected the operation. But the plan was not a new one. The Hon. gentleman himself, when sitting on the Opposition side of the House—as well as other Hon. gentlemen, on both sides of the House—had repeatedly urged on the late Finance Minister, the necessity of effecting it. But the Hon. gentleman got credit for it last year, and why he should claim credit for it again he (Mr. Dorion) could not understand.

The Hon. the FINANCE MINISTER, said he did not desire to occupy the time of the House by prolonging this discussion at any length. He must say that the calculations of the Hon. member for Toronto, were quite as novel to him (Mr. Galt) as the Hon. gentleman professed, on a previous occasion, his were to him. But novel though they were, he would not ask, at the hands of the House, the same length of time to expose the “fallacies” of the Hon. member for Toronto, which the Hon. gentleman had taken to expose what he considered to be his. (Laughter.) He must certainly express his thanks to the Hon. gentleman for the manner in which he had expressed himself on this occasion, baseless, though, as were his arguments and statements from beginning to end. But before proceeding to answer the Hon. member for Toronto, he would say one or two words in reference to what had fallen from the Hon. member for Montreal (Mr. Dorion.) The Hon. gentleman might have left the matter in the hands of the Hon. member for Toronto (Mr. Brown), because, in the few remarks he had offered, he had displayed a degree of ignorance on the subject which was really surprising. The Hon. gentleman, instead of addressing himself to the facts, had assumed that a certain loss would arise upon a suppositious state of affairs. Referring to the Sinking Fund, he had confessed himself unable to understand in what better position the change would place us. Well, if the Hon. gentleman could not see that it was an advantage,—at a time when there was a falling revenue, and when people were laboring under the depressing influences of an almost unexampled commercial crisis,—to reduce the amount of our annual contributions, he despaired of convincing him that it was better to have the loan in the shape of “five per cents.” than “three per cents;” for, in truth, that was the way in which the matter stood. But the Hon. gentleman said, because we did not want more than £800,000 of the £2,800,000 which had been borrowed, we were therefore paying two and a half per cent, three times over. Anything more absurd than this can hardly be conceived. The opinions of the two Hon. leaders of the Opposition, were wide as the poles asunder. One complained that the whole £2,800,000 had cost them two and a half per cent.; while the other objected to the whole scheme, because, he said, there had been a loss of seven and a half per cent. on the £800,000. (Laughter.) He would now take up the speech of the Hon. member for Toronto—and he would do so, not because he really thought it necessary to

do so, or because he felt that he had at all shaken the position he had taken—but because, considering the position of the Hon. gentleman in this House, and considering, too, the length of time, and the very great pains which he had taken in preparing his speech, it would be only courteous that he should criticise his numerous remarks, in the order, if possible, in which he had presented them to the House. He must confess that he labored under considerable difficulty in attempting to do this, for it was next to impossible, almost, for a mind to grasp at once all the details of a speech so full of figures and so carefully prepared. He must, therefore, ask the indulgence of the House in making the attempt. The Hon. gentleman commenced by admitting that the Government had done something that was advantageous, in connection with the Sinking Fund, and he thought, when he did so, that the Government were at length beginning to get their deserts from the Opposition, and that it would be at last conceded that they might occasionally do something that was right. But his (Mr. Galt's) pleasurable surprise soon ceased, when he found that the admission was only made, as it were, to catch the ear of the House; and that the action of the Ministry had been, in the first place, wrong in itself; in the next, very badly carried out; in the third, that it might have been done a great deal better in three or four different ways. (Hear and Laughter.) The statement, therefore, that the Government had been successful, was but a prelude to remarks of a totally different character. The Hon. gentleman said, the negotiation in regard to the change in the method of investing the payments towards the Sinking Fund for the Imperial Loan, might have been carried out by letter; that he might have written to the Lords of the Treasury, who would—as a matter of course, he supposed—have sent back a courteous reply. Now, if the Hon. gentleman had carefully read the correspondence, he would have seen that letters had been sent, but that the Lords of the Treasury had not consented to the propositions made. (Hear.) Then the Hon. gentleman went on to say, that his “persuasive eloquence” had induced the Lords of the Treasury to make certain arrangements in connection with this same subject. Now, this appeared to him quite at variance with his previous assertion. Either his colleagues were justified in sending him home or they were not. But, in one breath, the Hon. gentleman said they were wrong, and in the next he asserted that, had he not gone home, and had it not been for his “persuasive accents,” he should not have succeeded at all. (Hear, hear.) The next assertion made was, that even the apparent saving made did not amount to a large sum. The Hon. gentleman's ideas of a large sum were very different from his, nor indeed, were they at all fixed. He had listened to the speeches the Hon. gentleman had made, had often made to this House, when he was in an economical vein, and £60,000 or £70,000 would then be “a very large sum indeed.” (Hear.) He had heard him say that

it was "monstrously extravagant" of the Government to spend far smaller amounts for important objects. The increase by £60 or £100 of the salary of a poor, hardworking, deserving clerk, had been entitled "gross extravagance." A few hundreds spent in building bridges or opening up roads, had been similarly "monstrous." Yet now, a saving of £60,000 or £70,000, made by Ministers, was a very small thing indeed. (Hear, hear.) Next, the Hon. gentleman seemed to say that, on the whole, the Province ought not to be glad that it had bought these 5 per cent. India Bonds, as there had been deficiencies in the revenues of India, since the Mutiny there, so that the bonds were hardly a safe investment. Perhaps, if he had been in his position, he would not have taken these "second class securities," this "dangerous paper." The capitalists of England, however,---the best judges in the world---did not share the fears of the Hon. gentleman. They were willing to give more than 102½ for the bonds. They even bought up the India Loan, payable at Calcutta. They believed, and so did he, and so did the House believe, that the Government of India rested on a firm basis; that the whole power of the Empire would be put forth before India would be lost; that the blood and treasure of Great Britain would be lavishly outpoured, before that great country would be given up, and that, when India Bonds were worth nothing---if that day ever came---the British Consols would be worth very much less than they were now. (Hear, hear.) In the examination of his scheme the Hon. gentleman said it consisted of three parts. He was perfectly correct. And the three parts were the paying up of the Sinking Fund, the conversion of the Sterling six per cents into *fives*, and the raising of the new Loan. But he added, each one of these parts might have been done alone. He took a long time to show this, but he did not himself succeed in making a single calculation with which some statement concerning the arrangements for the repayment of the Sydenham loan was not mixed up. (Hear.) Did he not admit, and did not the Hon. member for Montreal admit, that the sale of the £2,800,000 of five per cents would not have been necessary, but for the arrangement in regard to the Sinking Fund? Was not this an admission of the connection between those two parts of the operation? And---

Hon. Mr. BROWN---What I contended was this [there is no doubt that the change of securities for the Sydenham Loan runs through the whole of my argument]---that you might have done that, and done nothing more; closed up the Sinking Fund, and done nothing more; converted the rest of the debt, and nothing else; borrowed £1,200,000 or £2,800,000 and nothing besides. (Hear.)

Hon. Mr. GALT---The Hon. gentleman admitted that the Sydenham Loan was mixed up with the whole of his arguments. That was the point he was striving to establish. (Hear.)

Well, the operation was carried through as a whole, and its parts neither could nor ought to be separated. It was not fair to say, "this part is right," or "this is wrong"; the whole must be taken and judged as one. (Hear.) There would have been no justification for the borrowing of £2,800,000, unless he had proposed to pay up the Sinking Fund, unless he had proposed to redeem the Municipal Loan Fund Debentures. [Hear.] There was no separating these parts of his scheme. The Hon. gentleman was, he must say, disingenuous. [Hear.] Now as to the arguments he used; and in this connection he might express his regret that, in spite of his having devoted so much time to the elucidation of his operations, there was such a bias in his mind, that what were clearly shewn to be gain, assumed the appearance of failure. He said the amount due to the Sinking Fund was erroneously stated. If the House would look at the figures, it would be seen that the whole balance due was £707,000. He said the re-sales of the securities, of £619,000 at 3 cent., in the old Sinking Fund, only produced £588,000, and, that thus there had been a great loss. Now according to his own views, the sale must have taken place, to put the proceeds into India or other Stock, and loss would so have necessarily occurred. And at the end, when the Imperial Loan would have to be paid, and they had to realize the securities in the Sinking Fund, they could not have got £100 for 3 per cent annuities. Every one admitted that £95 was a fair price for three per cents. Consequently, there was no depreciation in the amount actually realized, that would not have arisen from any other mode of making up the sum required. [Hear.] But the Hon. gentleman, by some extraordinary mode of calculation, turned £707,000 into £800,000. He [Mr. Galt] tried to find if any possible loss of two and a-half per cent. would make up this amount; then he tried if 3½ per cent. would do it, but he found he should require a much greater addition than this, and that he was actually represented as having raised money at a loss of £100,000, or no less than *one-seventh* of the whole amount! Now, how was that made out!

Hon. Mr. BROWN---I will read it over.

Hon. Mr. GALT---He preferred to follow the calculations as they were uttered by the Hon. gentleman. And he must say, that, after adding together Agents' commission, brokerage, and every possible charge, he did not see how, by hook or by crook, he could make up more than £20,000 or £30,000 of a loss on the realization of these securities. And as we had £30,000, lying in the Bank of England, which had been paid over to us, there was more than sufficient to cover any possible diminution that might have arisen on the realization of our Consols. This £800,000, however, went through all the Hon. gentleman's calculations, while we have shewn, and he knew, and the House would see,

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 20. 1860.

THE IMPERIAL GUARANTEED LOAN.

(Concluded from our last No.)

that there could not be such a loss as to make up this sum. The statement resembled a great many he had had the honor of hearing from the Hon. member for Toronto. (Hear.)

Hon. Mr. BROWN—That is one way of discussing my figures.

Hon. Mr. GALT—it is somewhat difficult to follow the Hon. gentleman, because when, for one part of his argument, it was necessary that, it should appear desirable to pay up the Sinking Fund, he said it was desirable, and the reverse when it ought to be made to appear undesirable. The weight of his reasoning, however, went to show that the Government were acting properly and wisely in the attempt to deal with the Sinking Fund, and that their policy, at least in this respect, should commend itself to the attention of this House and the approbation of the Country. But then he said it would have been better to leave it as it was; not to raise the whole of the money for paying it up, but to leave it at £800,000 or thereabouts, and invest it in the best manner we could—in five per cents, of some kind, I assume—until, at length, the Sinking Fund should gradually extinguish the debt. He observed that besides the £30,000 in repayment of principal, we should have had to pay £60,000 a year as interest, but should have got back £35,000 from the Sinking Fund itself. The Hon. member for Toronto and himself, were agreed upon this point, that under the former system they should have had to pay £90,000 a year, and under the new one they would only had to disburse some £35,000. The position, then, to which he had brought the Honorable gentleman, was this, that, whether the arrangements by which such a result had been attained, might have been better carried out or not, there had, undoubtedly, been a

large saving to the country. (Hear, hear.) He then said we ought not to have taken credit for any saving made, or any gain realised, through the operations of the last year, carried out previous to last session. He thought we should make a note of this, we should observe that the past is to be forgotten. The good deeds done by the Government were to be blotted out of remembrance. If they were so, then the House ought to hear a little less of what the Hon. gentleman considered the bad acts of the Ministry, and ought not to be treated, every session, to a *rechauffé* of the evils which have been heaped upon the country by his Hon. friends, the Atty. Gen. East and West. (Hear.) But to return to the Hon. gentleman's calculations: There were others of them which he was totally at a loss to understand. He said we had incurred a loss—a "dead loss" he calls it—of £48,000 by the operation. He admitted that there was a gain of £13,000 by the alteration in the investment, that we had arranged for a considerable annual relief to our revenue, but, by an extraordinary and almost magical process, although we had done these things, we had suffered a "dead loss" of £48,000. He did not see how that could be. How could there be such a loss, if the operation were only as beneficial as he himself stated? Did it arise from the supposition that India bonds might not be worth 2½ per cent. when sold?

Hon. Mr. BROWN—No.

Hon. Mr. GALT—Is it exclusive of that?

Hon. Mr. BROWN—Yes. I will explain.

Hon. Mr. GALT—If it was, then it made the mystery the greater. He thought, however, it was reasonable to suppose that the Indian bonds, when sold, would stand at their present market value. They might invest the Sinking Fund in anything they liked—even in consols—and yet there would be a risk that the market would fall. Consols were at 90, some time ago, where, according to the Hon. gentleman's ideas, we should have lost 10 per cent. by selling out. But he thought it likely that, when we sold out our India Bonds, in lots of £300,000 at a time, not all at once, for that would lower the market,

we should realize the advance they had made since we purchased. We bought at 102; and they were now quoted at 104 @ 104½. (Hear.) Having dealt with this branch of the Hon. gentleman's argument, he would now examine one other of the modes he suggested for settling the Sinking Fund business. He first uttered fearful threats of the manner in which he was sure the House would denounce anything like repudiation, which he imagined he saw in one part of the propositions. And then, examine the method in which he would have got out of a financial difficulty. He said it was provided that, if the Imperial Government were required to make advances in consequence of our non-payment of any interest on the Imperial Guaranteed Loan, they should charge us five per cent. for them, and they might therefore have allowed the Imperial Government to take up the Loan themselves, and paid five per cent. upon it. Was that consistent with our engagements? [Hear.] That was not what he would have done, or dared to recommend. He had always thought this country had reason to be proud, that from the time that loan was contracted to the present day, we had never been behind-hand in the payment of a single shilling. He trusted the day would never come, when any money this country might owe would not be fairly paid, when any one might be sorry for having advanced us money, or any Government regret having loaned us its credit. [Hear, hear.] The manner of dealing with the Imperial Loan, which the Hon. gentleman proposed, never entered his (Mr. Galt's) mind. He spoke about the originality of his plans—he gave him full credit for bringing forth such an idea as that. [Hear.]

Hon. Mr. BROWN—Why, it is in the Statute?

Hon. Mr. GALT—True, but was there mentioned as a penalty for breaking our engagement. It might as well be said that if any of us wished for lodging and food, we ought to steal, that we might be sent to gaol. (Hear.) Again, the Hon. gentleman said he could have borrowed when the Loan fell due. It was quite true, he might have borrowed on good terms, but it was equally true, that he might not have done so. If any one had a large sum to pay at a certain time, it was clearly his duty and interest to provide for it in anticipation of the hour.—(Hear.) We should, by his plan, be no longer in a position to be compelled to pay. And the Hon. gentleman ought to give us credit for that. What was the case in regard to his Hon. friend, the member for Renfrew, (Hon. Mr. Cayley) only the other day. A crisis occurred in England, which his Hon. friend could not possibly anticipate. The financial agents of the Province claimed the right to sell some Provincial bonds they held, at a lower rate than they had been usually disposed of, and who was then the first to cry out; who was then the first to find fault? Why, the senior member for Toronto. (Hear, hear.) Yet, now that Hon. gentleman said we ought not to have looked forward like prudent men, but have waited, in the hope of selling de-

bentures just when they were required, on favorable terms; a hope which might be realized, or might not. (Hear.) The public, Sir, were more impartial judges than the Hon. gentleman, and would give the Government credit for foresight, and for raising money when they could do it safely, not for waiting until a day which might be an evil one. (Hear.) And no more favorable time, he thought, will be likely to occur, than the one chosen to carry out the scheme.—The Bank interest was 2½ per cent. He would just ask, if they had waited one single fortnight, whether they should have been able to do as well? Now the Bank interest was at 4 per cent, and could we have raised the £2,800,000 on terms as advantageous as we did? In regard to quite another branch of the subject—the conversion of our debt—a branch which the Hon. gentleman said was not necessarily connected with the others, the Hon. gentleman stated that we had only converted £47,000 worth of debentures, yet he said there was no reason whatever, why we should not have offered parties our five per cent. bonds in exchange for debentures—one bond for one debenture—and that very probably they would have accepted the proposal. He thought very probably they would not. He might have offered the 5 per cent. bonds, it was true, but the holders of the 6 per cent. debentures would not have found it their interest to take them, and this was a part of the question he did not seem to have looked at when he said he was not swayed, in this matter, by the considerations he thought ought to have influenced him. (Hear.) Yet, on the other hand, he asserted, that it was a piece of "audacity" on his part to ask persons to convert the sixes into fives. Now he stated to the House, when he last had the honor of addressing Hon. members on this question, that there was a fractional gain of interest by holding the debentures until about the 30th of June, the limit of the time within which they could be exchanged for stock. He might have very fairly urged that the House, having heard the arguments, should form its judgment on what was likely to be the result of the proposition to convert the debt, before learning what had actually happened. But he had great pleasure in informing Hon. members, that the conversion of the sterling 6 per cent. had commenced nearly 5 months before the limit of time allowed, and he had now the further satisfaction of telling them that, notwithstanding the small gain to be realized by holding debentures until then, the last mail brought him the information that an amount of the sterling sixes had been converted, on the terms proposed by the Government.

Hon. Mr. BROWN—How much?

Hon. Mr. GALT—£89,000 (Hear, hear.) This, however, was probably one of the "small sums" of the Hon. gentleman, but if the operation continued at this rate, they should have a great deal of the debt converted by the 30th of June, not to speak of the amount held by those persons who might not be convinced until then that the terms offered by the Government were

fair and reasonable. (Hear.) The Hon. gentlemen theorized, and said people would not convert at all. On the other hand they had the fact, that they were converting, and as he saw that the quotation of our *sizes* was a little higher, in proportion, than that of our *sizes*, he had every reason to believe that the conversion would continue. (Hear.) However, the Hon. gentleman had said, also, that the conversion, if it happened, would be unfortunate, in fact, disastrous to the Province. Let the House examine his reason. It was to be disastrous because we might have waited and redeemed the Debentures at par, as they fell due. Well, there was only one way of meeting the Debentures, and that was, by getting the money. (Hear.) The Hon. gentleman had said we could have bought, but he had not told us how we could have got the cash. (Hear, hear.) That was, however, a most important part of the process. And this was just what the Government desired to protect the country from; viz., from having to get the cash at an unfavorable time. [Hear.] The Bonds matured at intervals of every six months or so, for ten years. Within that period it was certain—judging from experience—that some fearful crisis would occur in the money market. That was equivalent to saying that there was an absolute certainty of having to redeem some portion of our Debentures at a great sacrifice in order to maintain the Provincial credit, if we waited in procuring the means until their maturity. (Hear.) The Hon. gentleman had also refused to allow them credit for establishing a Sinking Fund, for the redemption of our Consolidated Debt, in a quiet way. He had said it would be better to pay for £60,000 worth of our securities a year. How were we to get the £60,000 worth, except by going into the market for it? He had said that would be a good operation in regard to our *sizes*, but he had asserted that he [Mr. Galt] could not carry out a similar plan in regard to our *sizes*, but that we should be obliged to invest our Sinking Fund at three or four per cent. per annum, for many years. [Hear.] After this, and he begged the House to excuse him for hurrying through the points of the speech so rapidly—he had referred to the remarks he (Mr. Galt) made on the subject of the Municipal Loan Fund Debentures, and the course the Government had determined to take in reference thereto. It was not necessary to dwell very long on that matter, but it would be well for the House to bear in mind the fact that those Debentures had never been considered Provincial securities, which was why they have always been at a discount in the market. It was true that Parliament had, of late years, consented to make advances to the Municipal Loan Fund, to enable it to meet the interest on the Bonds, but the Public had never been led to believe that there was a Government guarantee for the redemption of these Bonds. Well, was it anything like repudiation for the Government to take these Bonds back, giving the holders, not the market price for them, but the value they bore on their fall, more, in most

cases, than had been given for them? We had not forced the holders of these securities to take five per cent. interest instead of six; we had merely said we would give them, if they chose, our five per cent. securities, or cash, instead of their Bonds. If they did not choose, they would have to trust, for the repayment of their money, to the resources of the Fund charged with it. (Hear.) He could not see how the Government should be exposed to the reproaches of repudiation, at the hands of the Hon. member for Toronto, nor did he fear that his ideas would be shared, either by the holders of Municipal Loan Fund Bonds, or by others, pecuniarily interested in our Finances. (Hear.) He thought the country's credit could stand the shock of the Hon. gentleman's arguments—and it had to sustain a good deal, at the hands of the Hon. member—especially, when the fact was that the Government offered £100 for a security for which the holders could not expect, with any certainty, to receive more than £90, in the desire of acting fairly and in the most liberal manner. It was very well to say the Bonds had not come in, yet. Neither had the 30th June arrived. By that time, he had every reason to believe, we should have almost all the Municipal Loan Fund Bonds in our possession. (Hear.) Now, in regard to the new loan, the Hon. gentleman had said, there was not the slightest reason for raising so great an amount. Even the £400,000 for Debentures redeemed, he could not understand; that £400,000 seemed to have been acting on him as a night-mare. He (Mr. Galt) did not see the importance of telling the House at once, of whom he had bought each particular Debenture, but he had endeavored to explain the way in which he had raised the money, leaving for subsequent explanation and discussion the manner in which he had spent it. The Hon. gentleman had admitted this in his own argument, because he asked, "what are you going to do with the money you have got?" He would say, £400,000 was required for the purpose of redeeming certain Debentures. He had found fault because he (Mr. Galt) redeemed those which fell due. He would, however, ask what others were sooner called upon to redeem. (Hear.) Then, he seemed to think we had been acting under some old Act of Parliament. The fact was, that, being in England, at a distance from his colleagues, and having left before the accounts were made up, he hardly knew the exact amount which would be required, especially for the expenditure on Public Works. He thought, however, that it would be about £100,000.

Hon. Mr. BROWN—You had no authority to borrow that.

Hon. Mr. GALT—Of course we had. If the House authorises the construction of works to a certain amount, it authorises the raising of money to build them.

Hon. Mr. BROWN—No, no!

Hon. Mr. GALT—Very well—this disagreement proved all the more that it was better to discuss the subject when it fairly came up.

(Hear.) Then the Hon. member for Toronto had asked why we did not pay stock, instead of money, for the Debentures, to the people from whom we bought them. He would find, on enquiry, that these securities were bought before the negotiations about the stock were commenced. Some of the Debentures had been bought at a discount—a discount of five or six per cent.—and if the Government had waited until their scheme had been completed, they certainly would not have made so good a bargain. (Hear, Hear.) The Hon. gentleman had also, after objecting to the amount of the loan, referred, and made objections to the mode in which it was raised. He had had the honor, previously, of explaining to the House, the grounds on which he formed his judgment in regard to the method adopted, and he hoped he had satisfied the House that the course was a correct one. It was, however, incontrovertible that, whatever the result of a different system might have been, the result of the one actually carried out had been to maintain the Provincial credit. It had been said it was done at a loss. He maintained there had been a gain. It was a gain even to have carried out an operation of this magnitude, five times as large as had ever been entered into, on behalf of the country, before. It must have been well conducted, since it had been received so well, and since, although nearly £3,000,000 stg. additional securities had been thrown on the money market, the price, not only of the new loan, but also of the old six per cent., had been maintained. It had been asked why we had not got par? He might very well answer that it was not easy to tell, in advance, the price a new description of article would fetch. If he had issued the stock at par, instead of having offers of £22,000,000, he might not have got £2,000,000: and he dared not risk a failure. [Hear, hear.] The Hon. member would have it that he (Mr. Galt) had perpetrated a terrible sacrifice. Well, if he had, it was a sacrifice which was made by all Governments issuing new loans, and the British Government itself had often done so. Indeed, quite recently they had issued the very India Bonds (in which we had invested our Sinking Fund) at 97, now worth from 104 to 104½ in the market. Was it not strange that, with all their knowledge of finance, the British Ministers could not foresee, that, in six months, this very stock would be worth 7½ per cent. more than they got for it! Yes, and further, was it not amazing that they should repeat the operation by giving us of that very stock at 102½, when it was selling at 104½. But, rather, was it not really more strange that it did not occur to Hon. gentlemen on the other side that there was a difference between a wholesale and a retail price? Why the Hon. member for Toronto, himself, would make the distinction when dealing with his customers, for we found that that great paper the *Globe*, so necessary for the enlightenment of the country, and which certainly was above par, was given to clubs, at a considerable reduction upon its price to single subscribers. Surely, understanding the dif-

ference in this matter, he might have been a little more moderate in charging the Finance Minister with making terrible sacrifices, because he did not dispose of two and a half millions of stock at the same price as he could £1,000.—But the Hon. member saw no difficulty in this. Possibly he might know of some system of ledger-deman by which the operation could be accomplished, but he [Mr. Galt] had not that knowledge. The objection he respectfully submitted, was an untenable one, and could not be maintained.—Again, the Hon. member stated, that instead of throwing the whole stock at once upon the market, it would have been wiser and more advantageous to have sold it in instalments, say in sums of £100,000 or so; that is, that we should have had some person always on 'Change with our Scrip, announcing "another supply of Canadian Stock! the last to be offered! walk up gentlemen and seize the opportunity, before it passes away, to provide yourself with a first class article!" Thus, month by month, would the Hon. member for Toronto have peddled the loan, and teased the buyers who would never have been sure how much or how little was intended to be sold. Was this the way to create confidence, and to ensure the stability of our credit? He did not think so; on the contrary, he thought the best and the most dignified way was to be frank with the British lenders, and at once to tell them how much we wanted to borrow, what we intended to do with the money, and what were our means of meeting the obligations that would arise. This he had done, and he believed the results of this free and open statement of the facts might be seen in the readiness with which the wants of Canada were supplied, and the increased confidence reposed in our credit. The Hon. member had been unfair too, in quoting the value of our 6 per cent stock, at different times, and had made it run up from 113 to 117, forgetting to say that the large figure represented the interest accrued and shortly becoming payable.

Hon. Mr. BROWN denied that he had done this, but that, on the contrary he had said the increased quotations were due to the cause assigned by the Finance Minister.

Hon. Mr. GALT would again correct the Hon. member, whose words he had taken down, for he simply said that the Stock after January had gone down.

Hon. Mr. BROWN—I said that the real value of the Stock was 115.

Hon. Mr. GALT—Then the Hon. member had asserted there was a loss of £90,000 on the loan effected, and he (Mr. Galt) at first thought that by this he meant the total loss, but afterwards he added the discount of two-and-a-half per cent.

Hon. Mr. BROWN—No. I stated the gross sum of two-and-a-half millions and placed the loss against it.

Hon. Mr. GALT believed that, but for this explanation, the House would have understood the Hon. member to mean a further loss of the discount on the 97½ product. Then, the Hon. mem-

ber had expressed a doubt as to whether it was advantageous to have the loan irredeemable, but he had no such misgivings; on the contrary, he thought this was one of the best features of the arrangement. It was much better than having a term of repayment fixed; for, if at the end of twenty years we were obliged to make provision to meet the debt, it might happen that just then, it would be extremely inconvenient for us to do so. By the scheme adopted, at the end of twenty-five years, it would be optional with us to pay or not to pay, for before we were called upon we must ourselves give three months notice of our intentions to wipe off the debt. It might be that a monetary crisis would just then be disordering the market, and that it would be out of our power to provide the money; and it was well known to persons at all conversant with such subjects, that there were periodical derangements of trade, issuing in panics which threw everything into confusion, and rendered it very difficult, if not impossible, at the time, to raise cash. All we would have to do, if the first twenty-five years expired at such a time, would be to defer payment for one or two years, as might suit our convenience. Or, if the money market were easy and our credit good, as he had no doubt it would be, if we were careful, we might say to the holders of the Stock, "we will exchange with you for new Stock at four or four and a-half per cent.," as the case may be; and if they decline, we can then go in the market and negotiate for means to pay them off.

Hon. Mr. BROWN—Why might not this have been done equally well in 1874, when a large portion of our present debt would become due?

Hon. Mr. GALT—For the reason already assigned, and which he deemed perfectly conclusive, that we did not know we should then be able to do so. How could we tell what the state of the money market would be in 1874? It might or might not be favourable for borrowing, and he certainly did not think it was the Province of wisdom to leave such important matters to the contingencies of the hour. Again, the Hon. member had said that the Stock was not acceptable, and that it was not taken up, people preferring Bonds. The answer to this was, that it did not at all matter to us whether people preferred Bonds to Stock. The Hon. member did not seem however to know the reason why there might be a leaning to Bonds, so he would tell him that there was a stamp duty of one-half per cent. on inscribed Stock, and therefore persons who did not intend to make permanent investments, preferred the Bonds upon which there was no duty. However, out of the £2,800,000, £300,000 had been taken in Stock, which to that extent showed the confidence that was felt in our future prosperity, for of course this large sum was for the purpose of holding. Some parties on the other hand preferred Stock, because it gave security against fire and loss in other ways. He now came to the most serious offence charged against him by the Hon. member, which was that he had paid £40,000 for Commissions to the Agents, and this

be represented as a most monstrous waste of money. He (Mr. Galt) admitted it would be a monstrous waste if this sum were paid simply for the clerkage and trouble incident to the operation in question, but it was paid for no such thing. These Houses had acquired their credit and influence in the great money market of the world, by a hundred years of experience and skilful management; and it was this that gave them the immense power they possessed. It was for the use of this power and experience, in our favour, that we paid them, and not because Mr. Galt, the Finance Minister of Canada, had a conversation with them and agreed to use their services in the negotiation of the business. We paid for their credit with the moneyed men of England and for nothing else. But the Hon. member did not stop here, he determined to pile on the agony, and, as a climax, added to all the other monstrous wrongs that of his paying a quarter per cent. to the broker employed.

Hon. Mr. BROWN—they had a broker of their own.

Hon. Mr. GALT—No doubt they had, and they paid him his proper charge, just as they had clerks to whom they paid the salaries agreed upon. If the Hon. member wanted to sell or buy through a broker he would, of course, have to pay him, and that was all that had been done in this case. As a winding up argument the Hon. member maintained that it was quite delusive to say that any advantage was gained, simply because the annual charge on the revenue was diminished, when the money would have to be ultimately paid. Well if it was a delusion to diminish the burdens of the country at a time when it was suffering under great depression of its industry, he hoped it would experience many such delusions. He conceived that in bringing about such a delusion he had evidenced a much truer patriotism than the Hon. member whose efforts have been directed for many years towards crying down our credit, and depreciating our character. He might be a sanguine man, but he would much rather be a sanguine man and even err on the side of hope in the ultimate ability of the country to do honor to its obligations, than labor in decrying it; for his cheering anticipations might have the effect of inspiring confidence when the public mind pressed by disaster, required some moral support. And at any rate, he was not the man to cry out that there was no salvation for Canada but in pursuing a course which could only be productive of trouble and disquietude—it was not a course which he would take, nor for which his colleagues any more than himself were prepared. (Cheers.)

Hon. Mr. BROWN contended that the Hon. gentleman had not fairly met any of the objections which he [Mr. Brown] had urged against the scheme. He did not intend to follow him through the speech he had just made, at the present late hour. But when both speeches were printed---his [Mr. Brown's] and Mr. Galt's---it would be seen how fallacious were the statements made

by the Hon. gentleman. He must protest against the course adopted by the Hon. gentleman, in the speech he had just made—which was to put words into his [Mr. Brown's] mouth that he had never uttered. The Hon. gentleman confessed that he could not understand the arguments urged by him [Mr. Brown] against the scheme. But of course he would not condescend to understand anything on the subject except what he himself uttered. The Hon. gentleman did not seem to wish to understand it. He had not met the objection urged as he ought to have done. A sneering tone characterised his whole speech, which was quite out of place, especially when it was a matter of a loss to the Province of \$95,000, that was chosen as a fit subject to sneer at. The Hon. gentleman should have stated to the House, that it was, or was not, the fact that the Province was to lose this amount, and not sneer at the statement as he had done. At the present late hour he would not trouble the House with any further comments on the speech, in reply, just made. But with regard to one point in the Hon. gentleman's argument, he must be permitted to say that the Finance Minister was the first to cause the Province to repudiate her bargain as regards the Provincial Bonds under the Imperial Statute. That Hon. gentleman had made an outcry, because he [Mr. Brown] had stated, that it would have been better to have allowed the Imperial Government to take up these Bonds at five per cent.—and stated that if such a thing were allowed, it would be an act of repudiation in the heart of the Province. While the fact was that the effect of the Hon. gentleman's scheme would be to bring about this very event, which he characterizes as an act of repudiation. He must also be permitted again to condemn the policy of the Financial Minister, which led him to sacrifice five per cent. Bonds at ninety-seven and a half. Such a proceeding was almost as bad as that of Mr. Cayley's, when he disposed of the Provincial securities at ninety-five, when the selling price in the market was from 105 to 106. [Laughter.] The Hon. gentleman [Mr. Galt] had accused him of admitting the Sinking Fund to be desirable, and yet of condemning it. He [Mr. Brown] objected to it because the Hon. gentleman had set aside the Sinking Fund for fifty years, allowing it to go on accumulating; while, on the other principle, there would have been an opportunity of converting the debt at a future time upon much more advantageous terms. With regard to the Consolidated Debentures, the Hon. gentleman had kept out of sight the acts of the Government changing the securities of those parties altogether. Indeed, the Hon. gentleman had not, in the slightest degree, met the points he had brought against him.

The Bill was then read a second time.

The House adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 21, 1860.

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

CASUAL RIGHTS.

Hon. Mr. LATERRIERE enquired whether the indemnity for Casual Rights, as established by the commissioners employed to prepare the Seigniorial Schedules under the Seigniorial Act of 1854, and charged to the Province by the Act of 1859, 22 Vic. cap. 48, will be paid to the Seigniors entitled to receive them, and from what period?

Hon. Mr. VANKOUGHNET replied that the amount would be paid, and from the time already provided for by the Act.

Hon. Mr. LATERRIERE said that the payment was not provided for in the Act.

Hon. Mr. VANKOUGHNET said that it was.

TORONTO MECHANIC'S INSTITUTE.

Hon. Mr. ALLAN moved for the second reading of the Bill to repeal the charter of the Toronto Mechanic's Institute. The object of the Bill was to enable that Institute to come under the general Incorporation Act—and was introduced in petition.

The Bill was read a second time, and referred to a Special Committee, composed of Hon. Messrs. *De Blaquiere, Campbell, McDonald*, and the Mover.

GROWING TIMBER.

The House resolved itself into Committee of the Whole, to consider the amendments of the Committee on the Bill to Protect Growing Timber. Hon. Mr. Mills in the chair.

Hon. Mr. ALLAN said that the Bill was not intended to protect the rights of any class of land holders. It afforded protection to both.—But of anything, it would be of greatest benefit to small land holders, who could not pay keepers to look after their lands, which were in consequence liable to be completely stripped of trees by those people who made it a trade to go into the woods, and carry away the best timber they could find, no matter in whose lands it grew. The principle of the Bill, he thought, generally acknowledged; and therefore, a proper remedy ought to be at once provided—especially as the evil was increasing, and the present remedies provided by law were bound to be totally inadequate. Indeed, so inadequate was it that those people who made it their calling to cut down and carry off the timber, found it to their advantage to carry on their nefarious practices, notwithstanding that they were tried and convicted for the offence:—for the punishment—in many instances a fine of a few dollars—was so insignificant that the profits of the stolen timber greatly counterbalanced it. The Bill proposed to make the offence punishable by imprisonment for three years in the Penitentiary, and also the imposition of a fine of \$400. Greater good was expected under these provisions, than under the

present Act, which was calculated to meet the wants of the community at a time when land was not as valuable as it was at present.

Hon. Mr. SEYMOUR thought the provisions of the Bill were too stringent, and he proposed to modify them by an amendment, striking out that portion of the Bill which made the cutting down of timber a felony, punishable in the Penitentiary. Apart from questions of humanity, the Bill, by its own stringency, would defeat itself.

Sir E. P. TACHE quite concurred with the Hon. gentleman. The rights of humanity, he thought paramount to the rights of society, and the House should not affix a stigma, such as was proposed to an offence, to which, at present, it did not attach. To make the cutting down of timber a felony, would be something like reviving the barbarities of olden times, when a partridge was thought of more consequence than a man's life. The people of the country did not look on the cutting down of timber as such a great crime. It had commenced a century and a half ago, when it was no harm, and the custom had grown up with them, and they did not look on it as an offence, for the perpetration of which, they ought to be sent to the Penitentiary. He hoped that the House would not so suddenly fix such a stigma to the offence in question; and that the words "felony" and "misdemeanor" would be struck out of the Bill.

Hon. Mr. MURNEY thought the private rights of individuals should be protected before the dictates of humanity were obeyed. The Hon. gentleman strongly condemned the present system, by which wholesale robberies of trees were of daily occurrence, while the robbers actually laughed in the faces of the owners of the land.

Hon. Mr. WALKER also thought that some measure ought to be passed, to protect the private rights of individuals against those wood land robbers.

Hon. Mr. KNOWLTON was, perhaps, the greatest sufferer from such depredations, of any gentleman in the House—living as he did, in the Eastern Townships, surrounded by woods; but he would never think of sending any man to the Penitentiary, and branding him as a felon for stealing his wood. Because he knew that, from the peculiar nature of the circumstances under which the crime was committed, that its perpetrators did not look on it as entailing such punishment—and also because he did not think that it could benefit society, to send the father of a family to the Penitentiary, and let his wife and family starve, and perhaps grow up to become the emulators of their father's crime. He would vote against the Bill as it at present stood.

Hon. Mr. SEYMOUR proposed to amend the Bill by striking out the words "felony" wherever it occurred in the Bill, and inserting "misdemeanor" in its stead.

Hon. Mr. CAMPBELL reminded the Hon. gentleman, who had just taken his place, that by the law, as it at present stood, the crime of stealing timber was a misdemeanor. There could be no doubt, he thought, that the man who went upon another man's ground, and, without

his privity and consent, carried off the timber belonging to that man, was not an honest man. Such a person was a thief, and should be punished as a thief.

Sir E. P. TACHE again urged on the House the necessity of modifying the Bill, so as not all at once to affix a stigma of felony to a crime which, from the custom of a century and a half, had come not to be looked upon in such a heinous light. He did not oppose steps being taken to protect private rights—all he wished for was, that at first the punishment should not be so severe as proposed.

Hon. Mr. DE BLAQUIERE also advocated mild measures, and then if they were not found to answer the purpose, more stringent measures could be applied.

Hon. Mr. VANKOUGHNET drew attention to the state of the criminal law, as it at present stood. According to it, if a man went on another's land, and carried away a cord of wood which was already cut, he could be sent to the Penitentiary for seven years—but if he went on to his neighbor's land, and cut down his trees, and carried them off, he would only be fined some 40s. He (Mr. V.) could never see the difference in the magnitude of the two crimes.—One was as much a felony as the other.

Hon. Mr. MOORE thought the arguments of the Hon. Commissioner of Crown Lands unanswerable, and would support the Bill, because its principle was a sound one.

Hon. Mr. BOULTON did not see why the Bill should be opposed. The man who cut down, and carried away the timber was a robber, and should be punished as such.

Hon. Col. PRINCE intended to move an amendment to Mr. Seymour's amendment, to the effect that the value of the sappling cut down should be as low as \$5, not \$20, so as to bring the offender within the act. His object was to prevent the malicious destruction of ornamental trees. At the same time he thought the Bill too stringent, and would support the amendment that "misdemeanor" be substituted for "felony."

Hon. Mr. FERRIE voted for the Bill as it at present stood. It was most provoking to see property destroyed by those wood robbers, and every step ought to be taken to punish them, and put a stop to their practices.

Hon. Mr. SEYMOUR intended to move the amendment Col. Prince had given notice of as soon as the House had concurred in his first amendment.

Hon. Mr. ALLAN protested that the object of the Bill would be destroyed, if the amendment were carried.

The House then divided on Hon. Mr. Seymour's amendment which was carried, and the Bill was ordered for a third reading on Friday.

SUBSIDY TO OCEAN STEAMERS.

The Bill to increase the Subsidy to Ocean Steamers, and to extend the Telegraph Line to the Straits of Belle-Isle, was received from the Lower House, and read a second time.

Hon. Mr. VANKOUGHNET moved that it be read a second time to-morrow.—Carried.

STATIONERY.

A message was received from the Assembly, requesting the appointment of a Committee, to act as a Joint Committee with the Committee of the Assembly, for the purpose of looking after the Stationery of both Houses.

Hon. Mr. MORRIS protested against the appointment of those Joint Committees. They were almost unknown in England—only one or two having occurred in 1850, while here they were becoming alarmingly frequent. The Council ought to act independently of the Assembly.

Hon. Mr. SIMPSON also protested against the introduction of the system of Joint Committees.

Hon. Mr. DE BLAQUIERE concurred with Hon. gentlemen, the practice of Joint Committees was much to be regretted. He warned the House that the practice had a far deeper meaning than at first appeared. It was meant as a blow at the independence of the Legislative Council; and if Hon. gentlemen meant to support the independence of the Council, they must not consent to those Joint Committees, in which the Council was not fairly represented, and the moment their principle came to be recognized, the foundation of the independence of the Council would be sapped.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Wednesday, March 21, 1860.

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

QUEBEC PILOTS.

On the motion of the Hon. Mr. THIBAUDEAU, the petition of Olivier Raymond and others, Pilots at or above Quebec, asking for certain changes in the present tariff, was referred to a Select Committee, consisting of Messrs. Dorion, Morin, Turcotte, Désaulniers, Sincennes, Starnes, and the mover, with power to send for persons and papers.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to regulate the standard for the sale of tanned leather.—Mr. Price.

BILL to amend the act respecting the Municipal Institutions of Upper Canada, so as to enable County Councils to remunerate their members for travelling expenses.—Mr. Gould.

BILL to incorporate the Ottawa Board of Lumber Manufacturers.—Mr. W. F. Powell.

BILL to amend the 49th chapter of the Consolidated Statutes of Upper Canada, respecting Joint Stock Road Companies.—Col. Playfair.

BILL to amend the 58th chapter of the Consolidated Statutes of Canada, as regards the investment of money by insurance Companies.—Hon. Mr. Cayley.

BILL to regulate the qualifications of practitioners in Medicine, in Upper Canada.—Hon. Mr. Cayley.

BILL to amend the Railway Act, so far as relates to the representation given to Municipal Stock.—Mr. W. F. Powell.

BILL to render valid, certain Final Orders granted by the Judges or Commissioners of the Insolvent Courts of Upper Canada.—Mr. Benjamin.

BILL to incorporate the North Shore Navigation Company on the River St. Lawrence.—Mr. Desaulniers.

BILL (from the Legislative Council) for restraining Municipalities from issuing Debentures beyond a certain amount.—Mr. Wilson.

FISHERY ACT.

Mr. CIMON moved for a committee to inquire into the operation of the Fishery Act, said committee to be composed of Messrs. McKellar, Chapais, Beaubien, Macleod, A. P. McDonald, Hon. Mr. Carleton, Messrs. Cameron, Price, Carling, Meagher, Dorland, and the mover.

The motion was adopted.

NON-CONFIDENCE MOTION.

Hon. Mr. FOLEY moved for an address to His Excellency setting forth, "that the present Administration does not possess the confidence of a majority of the representatives of Upper Canada in this House, but retains power through a Lower Canada majority; and that, as a result of this unfortunate state of affairs, the patronage of the Crown is dispensed in Upper Canada, upon the advice of those representing the minority, and in opposition to the wishes of a majority of the electors of Upper Canada; and that as a further result, persons have in numerous instances been appointed to offices, who were unfit for the duties entrusted to them by the Executive." He would offer little comment on the facts embodied in his motion, as they must be self-evident to all, on both sides of the House. His first proposition, would be confirmed by a search of the journals of the House, ever since the Hon. gentlemen opposite had taken their seats. In no single instance within his recollection, in a legislative measure involving the interests of Upper Canada, had those Hon. gentlemen carried with them an Upper Canada majority. This had not been accidental, but continuous and systematic, and on no occasion during the present Parliament, had it been necessary for those Hon. gentlemen to make an appeal to the Public, for the purpose of increasing their strength. It was desirable and important that the sentiments and feelings of Upper Canada should accompany the action of the Government, both in their administrative and legislative capacity. It was with the view of bringing about that state of things, and remedying the evil, which even in the last Parliament was admitted on the part of Hon. gentlemen then occupying the Treasury Benches, that the last general election for both Upper and Lower Canada took place. What was the result of that election? Why, that a legislature was returned which recorded its hostility, upon every occasion upon which a vote was taken, expressive of the feelings of Upper Canada—to the Hon.

gentlemen occupying the Treasury Benches. The Attorney General East might with some propriety have said during the last Parliament, that very great doubt did exist on which side the feelings and wishes of the people of Upper Canada lay; but he (Mr. Foley) would submit, that, after the Hon. Attorney Generals bill and the decision upon it, that gentleman and gentlemen of Lower Canada, could no longer hesitate to acknowledge the fact, that the Hon. gentlemen whom they sustained in the Government, did not possess the confidence of the people of Upper Canada. His next proposition was, that as a result of this unfortunate state of affairs, the patronage of the Crown was dispensed in Upper Canada, upon the advice of the minority, and in opposition to the wishes of the majority of the Electors of Upper Canada. This had been proved at that election, when two gentlemen, Mr. Spence and Mr. Morrison, who had given their adherence to that Government, were ignominiously defeated upon their election, by the very people to whom they had successfully appealed in 1852. It was certainly evidence of the facts he had stated, that those two gentlemen, through whom it was that the Attorney General West and Sir Allan McNab had obtained the confidence of the people of Lower Canada, met with signal defeat, and immediately after that defeat, those gentlemen were elevated to office by the Hon. gentlemen opposite. The gentleman next appointed to the registry-ship of Toronto, was that same Mr. Morrison. It could not be pretended that those appointments were in accordance with the wishes of the people of Upper Canada. And besides, these cases, was not Mr. Webster defeated at Wellington, and afterwards appointed to an office in Guelph? And was not Mr. John Hilliard Cameron also defeated, and subsequently appointed to a lucrative office in Upper Canada? And was not Mr. Larwell defeated in the County of Kent, and yet appointed to the Registry office of that County? Mr. Richards, too, was defeated by his Hon. friend from Oxford, and appointed to a lucrative office. Mr. Riley, also, was defeated in Brant, and received a similar appointment. He could go farther, and point to the Commissioners of peace, and other appointments which had been made from one end of Upper Canada to the other, in opposition to the wishes of the people. These appointments were not only contrary to the wishes of the Reform party, but in opposition likewise to the feelings of the Conservative party. (Hear, hear.) As far as Upper Canada was concerned he presumed this would not be disputed, yet Hon. gentlemen possessing neither the confidence of one side or the other, continued to occupy the Benches, notwithstanding these undeniable facts. His third proposition was that in numerous instances persons had been appointed to offices who were unfit for the duties entrusted to them. So far as the magistracy was concerned, he would be prepared at any moment to establish the fact, even to the satisfaction of the Hon. Atty. General West. Persons might

be competent to the duties of an office, yet without the confidence of the people within whose circuit they were to act, they must be considered unfit to fill those offices. Such was the case with Mr. Morrison, and with Mr. Spence. He submitted that he had established the propositions with which he had set out. He had based his arguments on facts that could not be disputed. He should not go so far as to suggest a remedy for these evils. It was not for those who were in the minority to lay down the course to be taken by his Excellency. He simply stated the facts and left it for those who had the power to apply the remedy.

Hon. POSTMASTER GENERAL suggested that the question be postponed until the next day.

Hon. Mr. FOLEY said the motion had been already postponed, at the suggestion of Hon. gentlemen on both sides of the House.

Hon. ATTORNEY GENERAL WEST said it had not been postponed at the request of any member of the Government.

Mr. FOLEY admitted this.

The subject then dropped, with the understanding that it should come upon the next day, as the first order of the day.

BILLS READ A SECOND TIME.

BILL to incorporate the Association of Provincial Land Surveyors, and Institute of Civil Engineers.—Mr. F. Powell.

BILL to extend the limits of the City of Quebec.—Mr. Langevin.

BILL to incorporate the Drummond and Arthabaska Railway Company.—Mr. Dunkin.

BILL to consolidate the debt of the County of Middlesex.—Mr. A. P. McDonald.

BILL to incorporate the Montreal and Chambly Steam Boat Company, known as the "Ligne du Peuple."—Mr. Campbell.

BILL to extend the period allowed for the Montreal Telegraph Company, for extending their line to the Atlantic Coast, and across the Atlantic.—Mr. Whitney.

BILL to incorporate the St. George's Society of Montreal.—Mr. Dunkin.

BILL to incorporate the Annuity and Guarantee Funds Society of the Bank of Montreal.—Mr. Dunkin.

BILL to annex the Local Municipality of Notre Dame du Portage to the Municipality of the County of Temiscouata.—Mr. Chapais.

BILL to establish the concession line between Gore A, and the 8th concession of the Township of Grimsby.—Mr. Simpson.

BILL to Consolidate the Debt of the Town of Bomanville.—Mr. J. Cameron.

BILL to divide the Township of Windsor, County of Richmond, into two distinct Municipalities.—Mr. Webb.

BILL to incorporate the Village of New Hamburgh in the County of Waterloo.—Mr. W. Scott.

THE LAW OF REPLEVIN.

Hon. Mr. MOWAT moved the second reading of his Bill to amend the Law of Replevin.

Hon. Attorney General MACDONALD said there might have been cases in which the Law as it at present stood might have operated prejudicially, but he was not personally aware of any. The effect of this Bill, there could be no doubt, would be to increase costs; and, therefore, while placing a stronger safeguard around the possession of property, they must be careful to avoid this as far as possible. He would, however, offer no objection to the Bill, provided the Hon. gentleman would consent to send it to a Committee.

Hon. Mr. MOWAT consented to do this.

The Bill was then read a second time and referred to a Special Committee, consisting of Messrs. *Dorion, J. S. Macdonald, Wilson, Wallbridge, Sherwood, Dunkin and Mowat.*

PROPERTY QUALIFICATION OF MEMBERS.

Mr. GOWAN moved the second reading of his Bill to abolish the property qualification of members of the Legislative Assembly.

Hon. Mr. CAUCHON hoped the House would not accede to the motion. If there was to be a property qualification for the voter, he did not see why there should not be one for the member.

Mr. BUREAU was not strongly opposed to the proposition of the Hon. member for Leeds. He thought that if there were no property qualification for the voter, there might be some reason for requiring one of the member. Perhaps, it would be found that a great number of Hon. members had not the qualification required by law. Of this he was convinced. He would vote for the second reading.

Hon. Mr. LORANGER moved, in amendment, the six months' hoist.

Hon. Mr. CAMERON was sorry this amendment came from one of the advanced guard of Lower Canada. He supported Mr. Bureau's views, thinking that the existing Law frequently led to fraud and perjury.

Mr. NOTMAN did not see that the possession of money gave brains. He would vote for the Bill.

Hon. Mr. CARTIER thought the property qualification was no obstacle to any clever man, in this country, as any one with talent and care could acquire sufficient to qualify him. This argument was especially applicable, because this House had the care of the public purse, and those who could not be economical in their own affairs, so as to get the small amount of property required as a qualification, were hardly fit to take part in that duty. Moreover, generous friends would often come forward and make a present of property, as in the case of the late member for Yamaska.

Mr. GOWAN thought this was an evasion of the Law.

Hon. Mr. CARTIER—Not at all; the gentleman received the property absolutely, and enjoyed it to this day.

Mr. GOWAN thought that, if so, it only showed that generous friends came forward to shield him from the harsh operation of an un-called for law. The voter and the representative were each in a different position. The one might very properly be required to have a stake in the country; but in the other it was mind that was required to represent matter. A property qualification limited the choice of the people; for the greatest writers and the greatest thinkers had, in all ages of the world, been poor men. Aristocratic England had set us a good example in abolishing the property qualification of members, and we could not do better than follow it.

Hon. Attorney General CARTIER—Abolish the pay of members, and I will go for the abolition of the property qualification.

Hon. Mr. BROWN—And others. Move that.

Hon. Attorney General CARTIER—It cannot be done.

Mr. DUFRESNE said the Hon. member wanted to get out of his dilemma by crooked means. The law did not at present prevent any one coming to Parliament, and even to be a Municipal Councillor, an Assessor, or a Magistrate, a property qualification was necessary; but, forsooth, a man might be delegated to do the most important business of the country who had no such qualification. Why should it be abolished? Was it to lower the status of the House still more? Oh, education, good sense, judgement, were quite enough! This might do to preach in dark corners and in suburb holes.

Hon. Mr. DRUMMOND—In the House of Commons, for instance.

Mr. DUFRESNE—Well, no man could get into the House of Commons without having in reality a property qualification, for the election expenses were large and involved a great outlay. He would never consent to abandon the qualification, for it was necessary to preserve in the representation of the people, the identity of the soil.

Mr. WILSON said he saw no reason why the property qualification should be retained.

Hon. J. S. MACDONALD asked, why the Legislature should circumscribe the choice of the people by imposing a property qualification?

Hon. Mr. DUMMOND said, most of the great men whose portraits adorned the walls, would never have sat in the Lower Canada Parliament had a property qualification existed. He trusted that all those who adhered to the old principles of the Lower Canada Reformers would, to a man, vote for the Bill.

Hon. Mr. LORANGER said we did not allow a beggar to vote; yet it was proposed to allow a beggar to sit in the Legislature.

Mr. LABERGE—A lawyer, who might not own anything was sometimes entrusted with a suit involving thousands.

Hon. Mr. LORANGER—That was no argument—a lawyer had an educational qualification. In contested elections, the sitting member

gave no security. If the contestant succeeded in his petition, how was he to get the costs paid if men without property were allowed to sit.

Mr. LABERGE thought Hon. gentlemen did not sit there to represent Fortune or riches, so much as intelligence, but, if they did, then it was the fortune of the electors, and it was only necessary that these should possess property; not the elected. And it was ridiculous to say that a qualification of £500 was of any influence in making members more careful of the interests of the country.

Hon. J. A. MACDONALD thought the rights of property certainly ought to be considered, and all the arguments were applied to voters, rather than to members, and went rather in favour of universal suffrage than of abolishing the property qualifications of members. The question was being much agitated in England, and arguments *pro* and *con* were being used with energy and ability. For his part, he was opposed to universal suffrage—it went to the very foundation of society by removing the chief protection of the rights of property. Members were sent to Parliament to express their own opinions—not to act as delegates. To say that some had false qualifications, was no argument, any more than to reason against voting, because false votes were sometimes tendered. The property qualification had been done away with in England to let in, not to exclude property, that was to say the men upon 'change, the Bankers, and others who had no real estate and found it difficult to buy it, although they had the ready cash. It was of infinitely more importance to have men in our councils who had the good of the country at heart, than who had merely the property qualifications. With regard to aliens, there might be some who would really take as much interest in the welfare of the country as any body else; but these were the exceptions, and they must not legislate for particular cases. There might be some brilliant geniuses who would be shining lights before 21, but as a general rule the mind did not mature before that age. There might be men without a farthing in the world who would protect the rights of property, yet all knew a man's judgment was swayed very much by his own interests. He would favor changes when they were improvements, but in the present case he did not think the exceptional or incidental evils resulting from the law would by any means justify its repeal. The reformers of 1855 had voted against the repeal of the same law. He regarded it as the first step towards universal suffrage, and therefore should vote against it.

Mr. POWELL was gratified to find the Hon. Attorney General, not very decided in his opinions in relation to this Bill. There were some slight mistakes in his statement of the law on the same subject in England. The statute regarding property qualification was passed in the reign of Queen Ann, to exclude the trading class from Parliament. It was fixed at £600 per annum for counties and £300 for boroughs, in both case to be real property. At present

personal property is allowed to qualify where real property was formerly required. The evasion of this law was so common, that after every election from fifty to sixty persons were found to be falsely qualified. (Hear, hear.) And in the House of Commons there had been men eminent for their talents who sat there without the necessary qualification, and who had risen from a low station of life. In the House of Lords the Earl of Derby had declared his willingness that the qualification law should be repealed—thinking it could result in no harm. Our property qualification he (Mr. Powell) regarded as an absurdity, and should vote for its repeal.

Hon. Mr. BROWN was sure, that as long as the qualified electors had it in their power, they would elect such members as they were sure would best represent their interests in the House. The Hon. gentleman (Mr. Macdonald) on the other side, had based some of his arguments on universal suffrage. But it was his (Mr. Brown's) opinion that universal suffrage was the curse of the United States. It had a tendency to make the policy of the country descend, not ascend. In the United States, property was not recognized, it was the man who could work on the feelings of the people—no matter who he was, who was sure to be returned. In Canada, every man thought a great deal of his vote; while in the States it was not so valued, and great numbers staid away from voting. To touch on another part of the Hon. gentleman's argument. It was evident that if a constituency wished to return a member, they would return him whether he had the property qualification or not. Supposing that the Attorney-General himself was so unfortunate as to become poor, and that there was a general election, would not the people of Kingston return him irrespective of his poverty. (Laughter.) It was a great fault, that at present the rights of property are too well represented, and the rights of labour too little. In the Imperial Parliament such is not the case. There, labour is better represented than it is here. So that every way the comparison instituted between England and the Province by the Attorney-General, was most unfortunate. It was his (Mr. Brown's) opinion, that there was no use in property qualification at all, and it ought to be abolished altogether.

Mr. MACDOUGALL said they ought to open one Chamber of the Legislature to all classes of the community—the man of education as well as the man of property.

Mr. J. B. ROBINSON said unless they could show that the interests of property, of which so much has been said, would be jeopardized by the representation only of intelligence, they ought to vote for the bill. The greatest patriots, and the greatest statesmen in England, both on entering Parliament and on leaving it, were comparatively poor men.

Mr. MCGEE was glad to find that all liberality of sentiment, was not confined to the Opposition benches. Right, reason, and ordinary common sense, commended this Bill to the favor of the House. The elected member, when once

brought into the House, became at once the representative of all the wealth and intelligence, not only of his electoral division, but of the whole country, and he should so consider himself. The possession of property, whether personal and real, formed the true basis of true conservatism, and was the best guarantee for the correct choice of a representative. He was then the representative of their property, and that was the highest qualification he could have. And all our influences were calculated to give to property its due weight in the State. However, he admitted that for some years past, a demoralizing system of electing men by the force of money had prevailed, which needed to be checked, and he believed the Bill before the House would have a tendency to do this.

The House then divided on the amendment. Yeas 53; nays 51.

YEAS:—Messieurs Abbot, Alleyn, Baby, Beaubien, Biggar, Campbell, Caron, Attorney General Cartier, Cauchon, Chapais, Cimon, Coultée, Daoust, Désaulniers, Dionne, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Holmes, Labelle, Lacoste, Langevin, Laporte, Le Boutillier, Loranger, Low, Macbeth, Attorney General Macdonald, McCann, Meagher, Solicitor General Morin, Oumet, Panet, Playfair, Pope, Price, Rose, Rymal, William Scott, Sherwood, Simard Simpson, Sincennes, Stirton, Tassé, Thibaudeau, Webb.—53.

NAYS:—Messieurs Aikens, Bell, Bourassa, Brown, Bureau, Burton, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Daly, Dorion, Doland, Drummond, Ferguson, Ferrer, Finlayson, Foley, Gould, Gowan, Harcourt, Hébert, Howland, Jobin, Laberge, Lemieux, John S. Macdonald, Mattice, A. P. Macdonald, McDougall, McGee McKellar, Mowat, Munro, Notman, Papineau, Patrick, Piché, Walker Powell, William F. Powell, Robinson, James Ross, Short, Sidney Smith, Somerville, Starnes, Wallbridge, White, Wilson, Wright.—51.

The Bill was then read a second time.

LOWER CANADA GAME ACT.

The Bill to amend the Lower Canada Game Act was read a second time.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 22, 1860.

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

DOWER.

Hon. Mr. CAMPBELL introduced a Bill to regulate the assignment of Dower in Upper Canada.

The Bill was read a first time and ordered to be read a second time this day week.

MARRIAGE WITH A DECEASED WIFE'S SISTER.

Hon. Mr. MORRIS introduced a Bill to legalize marriage with a deceased wife's sister.

The Bill was read a first time.

Hon. Mr. MORRIS moved that it be read a second time this day week.

Hon. Mr. DEBLAQUIERE moved in amendment that the Bill be not read a second time. He hoped however, that the Hon. Mr. Morris would withdraw his motion. Such a change as the one proposed should not be entertained until the opinion of the people was first taken on it; and most decided by the people could not be said to desire it now as there was not a single petition presented in favor of it. Besides he felt convinced that even if the Bill passed through both Houses, which was next to impossible that it would not receive the Queen's decision, which, being a Bill of an extraordinary character, would be necessary under the Provincial Act.

Hon. Mr. MORRIS hoped that his Hon. friend would not treat him so unceremoniously. There was no impropriety in this Bill. Its principle had already been approved of in the English House of Commons, through which a similar Bill had passed—and it was only thrown out of the House of Lords after seven Bishops had voted against it, and four for it. He hoped that the House would allow the Bill to be printed and distributed among the people.

Hon. Col. PRINCE approved of the Bill going to a second reading. A deceased wife's sister was, in his opinion, the most proper person to take charge of her children. At present the law on the subject was undecided and vague, and the time had arrived when its true meaning should be laid down.

Sir E. P. TACHÉ said that as this was a question which turned on religion—every Roman Catholic in the House would vote against it; and was impossible that it could pass through either House. It was said that it was an Upper Canadian question—but the House was called on to legislate for the whole of Canada, and as the Lower Canadians did not approve of the principle of the Bill they would not vote for it.

Hon. Mr. VANKOUGHNET did not see any harm in allowing discussion on the Bill. By allowing the motion for the second reading, no gentleman committed himself to its principle. He himself had a strong opinion that marriage with a deceased wife's sister was legal. The question was one that was much debated on in legal circles, and he did not think it an unworthy one to be discussed and decided in the House. The consequences of allowing the law to remain in its present uncertain state would be very serious—especially as some cases of such marriages had already occurred. He hoped that the amendment would be withdrawn.

The amendment was then withdrawn, and the motion for the second reading carried.

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Thursday, March 22, 1860.

COUNTY COURTS.

Hon. Mr. PATTON introduced a Bill to extend the jurisdiction of County Courts.

The Bill was read a first time and ordered to be read a second time on Monday.

VERDICTS IN CIVIL CASES.

Hon. Mr. PATTON introduced a Bill to allow juries in civil cases to return their verdicts although they might not be unanimous.

The Bill was read a first time and ordered to be read a second time on Monday.

GROWING TIMBER.

The Bill to provide for the protection of growing timber was read a third time and passed.

ELECTIVE SPEAKER.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to provide for the election of the Speaker of the Legislative Council. The Hon gentleman stated it had been thought advisable, in a measure of such importance, to provide that it should not take effect from and after the next day before the first day of the meeting of the next new Parliament. He did not think that the passing of the address in which this Bill had been introduced did not bind any Hon. gentleman to its principle. The present Parliament had only one more Session to run, and it would serve no good purpose to make any change before the twelve new members—provided for by the Act—had taken seats, which they would by that time.

The Bill was read a second time, and referred to a Committee of the Whole, Hon. Mr. Moore in the Chair.

Hon. Mr. MORRIS moved an amendment to the effect that, if the present Speaker should vacate the chair before the time mentioned in the Act, a new Speaker should then be elected by the House.

Hon. Mr. VANKOUGHNET thought that the time was so short that it was not worth while to make such an amendment.

Hon. Mr. MORRIS would withdraw his amendment if the sense of the House was against him.

The amendment was then withdrawn, and the Bill was reported without amendment.

MONTREAL MECHANICS INSTITUTE.

Hon. Mr. FERRIER moved the second reading of the Montreal Mechanics Institute Bill.

The Bill was read a second time and referred to a Special Committee, composed of the Hon. Messrs. Leslie, Quesnel and the mover.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Thursday, March 22, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend the Charter of the Gore Bank.—Hon. *Atty. Gen. West.*

BILL to amend the Act relating to the Montreal and Champlain Railroad Companies.—Mr. *Dunkin.*

BILL to incorporate the British American Investment Company.—Hon. Mr. *Cayley.*

BILL to establish a survey of certain sidelines in the township of Cumberland.—Mr. *Louz.*

THE NON-CONFIDENCE MOTION.

The House resumed the consideration of Hon. Mr. *Foley's* motion of yesterday.

The question being again proposed,

Hon. POSTMASTER GENERAL said, the burden of the song of the Hon. member for Waterterloo was contained in the last of the three propositions in his motion, which set forth that in numerous instances persons had been appointed to offices who were unfit for the duties

entrusted them. Now, what remedy did the Hon. gentleman propose for "this unfortunate state of affairs."

Hon. Mr. FOLEY—I simply proposed an Address to the Governor General, and it was for him to devise a remedy.

Hon. POSTMASTER GENERAL—The motion merely expressed the desire of Hon. gentlemen on the Opposition benches to change places with the present Ministry. (Laughter.) There was not even a definite statement in the motion, for after declaring in his motion that persons had been appointed to offices for which they were unfit, the Hon. member for Waterloo had himself admitted that the very gentlemen he named in support of his proposition were qualified for the duties of the offices they held. How then could the house sustain the motion of the hon. gentleman? He (Mr. Foley) had taken an extremely unhappy in the position he had taken, and in the evidence he brought to support it. It was all very well to say that the Government did not possess the confidence of the people of Upper Canada, because the Opposition had systematically voted against Government measures relating to Upper Canada; but the Hon. gentleman should remember the declaration made by the Hon. member for Cornwall, at the first session of this Parliament, that the Opposition would unanimously and continuously vote against every proposition coming from the Government.

Hon. Mr. FOLEY—He did not use those words. He said no Government not possessing the confidence of the people of Upper Canada had a right to initiate a bill.

Hon. POSTMASTER GENERAL had understood him to say that the Opposition would vote against Government measures relating to Upper Canada.

Hon. J. S. MACDONALD said he had been mistaken.

Hon. POSTMASTER GENERAL said, the policy of the party had certainly been unitedly to vote against all propositions from the Government, whether for the good of Upper Canada or not. They had done so with the Bill relating to the Subsidy to the Steamships. They had professed themselves in favor of the Bill, and then voted against it. This was done uniformly, not from reason or judgment, but from factious motives, and to give a pretext for the cry that the government had not the confidence of the representatives of Upper Canada. But, in the election of 1857, there were more votes polled in Upper Canada against the members of the Opposition, than against members supporting the Government. (Hear, hear.) And what position did the Hon. gentlemen opposite take in 1858? Did they then maintain that it was wrong to attempt to rule the country by a majority from one section, and a minority from another? At that time they had not the majority of the representatives of the people, and yet they wished and attempted to assume the Government, even with two to one against them. (Hear, hear.)

Hon. Mr. FOLEY—We were willing to leave it to the country.

Hon. POSTMASTER-GENERAL said, they had to leave it to the country, but they came down to the House prepared to go on with the business of the Government, with a minority in both Houses. Yet, the Hon. gentleman brought in a motion that a Government, having the confidence of a large majority of the people,—and having administered the affairs of the country in such a manner as to obtain and secure that confidence, ought not to be retained, and as a matter of course, it is intended that Hon. gentlemen opposite should take its place. Should such a calamity befall the country, he supposed the Hon. member for Waterloo would have no difficulty in seating himself on the Administration side of the House, notwithstanding all he had said about responsible government. The Opposition, though in the minority, would doubtless be very willing to say how the affairs of the country should be managed, and how the patronage should be dispensed. They showed in 1858, what they would do if they had the power, and they were prepared to play the farce over again, and to reconcile all differences among themselves, in view of such an accomplishment. They would do anything for the sake of office. The present resolution was aimed at the Government, and no better means could have been taken to test the matter of confidence, and dispose of the question. It came fairly to the point, and members had an opportunity of saying whether Hon. gentlemen opposite were to take the place of the Ministry. At one time the members of the Opposition professed certain principles, but since the 9th of December, they had all been prepared to form one happy family, and sit down harmoniously, with the confidence of the minority, to carry on the affairs of the country. But would any one say that the platform of the Convention of December 9th, accorded better with the views of the people of Upper Canada, than did the principles of the present Government? The position of Hon. gentlemen opposite was very manifest. They would vote against every Government measure, that the division list might show a majority of Upper Canada representatives in Opposition to the Government, they would vote against every measure until the Government were driven out, and they could take the vacant seats. Every one knew the real object of the present motion, and knew how to vote; and if it was the pleasure of the majority of the House, that Hon. gentlemen opposite should sit down and carry out the intentions of the Convention of the 9th of December, the Government must bow to the decision.

Mr. GOWAN did not know that he ought to say anything about the subject; the House being evidently unwilling to hear much debate upon it. Standing, however, as he did, between two parties, he would endeavor to give a candid and impartial opinion. He did not think the Hon. Postmaster-General had made out his case, but if we were to look at majorities from any one part of the Province, we must also hold that, in the British Parliament, there must be an Irish majority for Irish measures, and so on. He re-

membered that there had been a cry, at one time, of Ireland for the Irish, and at another, of Scotland for the Scotch, but both had been successfully resisted.

Hon. Mr. FOLEY—Did the Hon. gentleman mean to say that the local affairs of these countries were conducted in opposition to the will of the majority of their representatives?

Mr. GOWAN did mean to say so. The Government of Britain at the present day, was Whig; the majority of Irish Representatives was Tory. He admitted that the Government ought to be cautious how they brought the two parts of the Province into Opposition, for, to be outvoted on so many occasions, by Lower Canadians, often cut him, as well as other Upper Canadians, to the quick. Now, going to British precedents for members of the Government being in office after being defeated by constituencies. Lord John Russell lost his seat for Devonshire, Sir Robert Peel for Oxford, Lord Maucaulay for Edinburgh, yet they neither vacated their seats in consequence, nor lost the confidence of the people. Even here, Mr. Baldwin had been defeated in Hastings, by Mr. Murney, and did the Reformers of that day yield, or Mr. Baldwin forfeit his office?

Hon. Mr. FOLEY—He had the confidence of the majorities of both sections.

Mr. GOWAN—That made no difference.--- And now as to the measures which the present incumbents of office had introduced. He had written the good ones on one side of a paper, and the bad ones on another, and would just mention a few of them. Commencing in 1854, he found a measure, introduced by the Hon. Attorney-General West, secularizing the Clergy Reserves. It was, perhaps, a legacy from the Hincks Administration, but it was carried through by the Hon. member for Kingston, and the Government, of which he was a member, should get the credit for it. Then there was the amendment to the Militia Act introduced by Sir Allan MacNab, an excellent measure, which he was only sorry had not been adhered to.--- Next came the Audit Act, introduced by Hon. Mr. Cayley, which was of great advantage to the country. Then followed the Act, introduced by an Hon. gentleman, not now a member of this House, repealing the duty on newspapers. This was a most important Act, and he was only sorry it had been repealed by Hon. gentlemen of the Government. He hoped the postage on newspapers would again be taken off, as the newspapers were the principal means by which intelligence could be communicated to the poorer classes. Next came an Act, introduced by the present Speaker, entitled, "An Act to secure the independence of Parliament." It removed the imputations of corruption, so frequently thrown out, by providing that no member of the House should accept emolument at the hands of the Crown. Then there was the Act to extend the Jurisdiction of the Division Courts; that to make provision for the payment of Jurors; and that to provide for the greater efficiency of Common and Grammar Schools in Upper Can-

ada. Again, we had the Act, introduced by the Baldwin Administration, but unsuccessfully, to prevent Municipalities from incurring debt, except a majority of the representatives should approve of the By-law for the purpose. There was also the Act to define the Elective Franchise and provide for the Registration of Voters, and Act establishing separate Registry Offices in the cities; and junior ridings of counties, and he much regretted the Government had not carried that out. It was in abeyance, holding out a bait, for corrupt purposes, and rather than be so, it had better be repealed. The tariff Act of the Finance Minister, he thought, was a very beneficial one, so was the Bill for closing Taverns between Saturday night and Monday morning, and they ought to be carried out better; he directed the attention of the Law Officers of the Crown, to the fact. The Act to fix the indemnity of members was a good one; it was much better that the law should specify the sum, than it should be left to a vote of the House. The Common Law Procedure Act was the last of the beneficial Acts he should name. He would next censure the Ministry strongly for their withdrawing to grants to Mechanics' Institutes, and Agricultural Societies, and also for some part of their conduct in regard to the Seat of Government question, about which there should never have been the slightest hesitation. He would now like to ask the Ministry one question. Was the Government constructed on a conservative, or on a mixed basis? [Hear, hear.] If the former, conservatives should be placed in the Treasury benches. If it was a mixed Government, then such materials should be taken from his Hon. friends on the Opposition as would enable them to carry a majority from both ranks. [Hear.] He would like to see an attempt made to carry out the Government of the country upon principle---one principle, conservative or the reverse---without any sacrifice of principle, on one side or the other. However, this was neither done by the Ministry, nor attempted by the Opposition, when they had the chance. [Hear.] It would depend on circumstances, whether he would support the motion or not,—he would, however say, he thought it was introduced at far too early a period of the Session. (Hear.) The Hon. mover should have waited until the Ministry had introduced and elucidated all their measures, before asking the House to give its opinion. [Hear, hear.]

Mr. STIRTON said, the speech of the Hon. gentleman who had last spoken reminded him of an anecdote told of a countryman of the Hon. gentleman. This person meeting a comrade, broke his head with one hand and plastered the wound with the other. So with the Hon. gentleman. In one breath he expressed his condemnation of the Ministry, and in another he praised them. Nobody could controvert the truth of the statements contained in the resolutions. The Postmaster General had tried to get rid of them by raising side issues. For example, he expressed his belief that if the Opposition were in power, they would be constrained to bring in similar measures to those of the Ministry. Now

he might observe *en passant* that it was not likely the Ministry would be called to power—"Hear," and laughter)—but if they were, he was satisfied they would have too much regard for consistency, to attempt to rule one section, with a majority from only one section. Of the evils of the present state of things, he (Mr. Stirton) could cite many instances. But he would content himself by referring only to one. Just before the last election the gentleman who tried to obtain the seat for the South Riding of his County, and who had represented the North Riding in the previous Parliament, sent in a requisition to the Ministry to appoint certain gentlemen as magistrates. He hoped by this means to influence the election in his favor, for at the Hustings, and other places, he openly told the electors the names of the parties so recommended. Finding himself defeated, and that some of those people had voted against him, he as openly declared that he would have that requisition quashed, and other persons placed on the Commission. True, to his word he had obtained the withdrawal of that requisition, and the year after a Commission was issued which contained only the names of his friends, several of whom could not even write their own names. (Hear.)

Mr. OUMET said that in 1858 he had voted for the Double Majority motion of the Hon. member for Montmorenci, and he had endeavored to shape his subsequent conduct in Parliament in conformity with that vote, but from the manner of conducting the business of the House he had often found himself in the position of voting against the Upper Canada majority, when he thought he was voting with them. Great complaints were made against the Lower Canadians for supporting a Government that did not possess the confidence of Upper Canada, but what did they want them to do? Were the Lower Canadians to abandon the advantages of their position, when it was well known that if the Opposition came in power its leaders would both be opposed to the Double-majority principle. He regretted the probable fate of the motion, but if it were accepted, would not Lower Canada have to come under the rule of an Upper Canada majority? The Lower Canadians could pretty well judge from the past what would follow, for they knew perfectly well that if the Government of Messrs. Brown and Dorion had continued, the abolition of the Seigniorial Tenure would never have been effected, notwithstanding the mysterious local fund then spoken of. The present Government had given to the country that great measure, and several other important ones. A little while ago it was thought that the demand for Representation according to Population, which Lower Canada had always opposed, had been thrown overboard for some kind of Federation, but that had been abandoned, and it now seemed likely that the old cry would be renewed. The motion of the Hon. member for Waterloo affirmed first, that the Government was sustained only by a Lower Canada majority, which was true, and it was, no doubt, desirable that they should have a majority in both

sections, but the Lower Canadians were not answerable for that state of things. Some members threatened the Lower Canadians with coercion, when the case was renewed, well this was hardly a very great encouragement for them to abandon their strong position. Were they to do this to please men who did not hesitate to avow principles in direct opposition to their interests? The motion then went on to state that the patronage was exercised in Upper Canada in a manner displeasing to its population, and that persons were appointed to office who were not qualified for the duties. The three last most important appointments were those of Hon. Messrs. Spence, J. H. Cameron, and Morrison, and surely the objections of the Hon. member could not apply to these gentlemen. How did it follow that, because the Government had passed laws to which the Hon. members opposite had objected, that they were therefore bad laws?—for so far as he remembered these laws had not been petitioned against.

Hon. Mr. DORION—Yes, the Jury Law had been petitioned against.

Mr. OUMET—Then the Lower Canadians would be willing to assent in amending it, and it was not surprising that so voluminous a law should after two or three years' operation discover points that needed modification. The Usury Law had been passed with the consent of the Upper Canada Opposition, yet, after two years, many members from that section desired its repeal. How could the Lower Canadians work with men who openly professed hostility to institutions they held sacred. For example, did those gentlemen suppose the Lower Canadians would ever consent to break up the Separate Schools? If they did, they were greatly mistaken. The Government of the day had entitled themselves to the confidence and gratitude of Lower Canada, and therefore they could not consent to the vote proposed, while on the other hand, they had no confidence in the Opposition, nor any reason for expecting to be able to trust them hereafter. He moved, in amendment, "That the present Administration possess the confidence of the House and the country."

Hon. J. S. McDONALD desired his bretheren from Lower Canada to understand that nothing reached the hearts of their friends on his side of the House, as their continuance in their present course, and when he saw one of them proposing a motion which had no doubt been suggested by the Government, he felt that the people of Upper Canada could not stand it much longer. Was there really no hope, and was the voice of Upper Canada to be for ever ignored? He predicted that the greatest confusion and dissatisfaction would necessarily ensue? Were we to be told that the Lower Canadians must, of necessity, rule us? He no doubt thought this amendment would be carried, but he would ask those Upper Canadians, who intended to support it, to consider the degrading position in which they placed themselves by so doing. Retribution would come some day, and he would re-

mind them of the fate of Messrs. Papineau, Viger, and DeBleury, who had forsaken their party to sustain the Upper Canada majority of the day; they had never emerged from the condition to which the indignation of their countrymen had condemned them, and so would it be with some men in the House, who, professing to be followers of Mr. Baldwin, had sustained the coalition of 1853.

Hon. J. A. MACDONALD—Why Mr. Baldwin approved of the coalition.

Hon. J. S. McDONALD—Well it is time we had the letter of Mr. Baldwin to that effect, but we had not seen the one that Mr. Hincks had written to him; but even then would the House go for the opinions of Mr. Baldwin in opposition to those of the whole country? By the transfer of the allegiance of such men as the Hon. member for Prince Edward, the Coalition had been formed and sustained, but let them go to the country at the next election, and they would find how their conduct was viewed.

Mr. ROBLIN was just as ready as the Hon. member to go before his constituents.

Hon. J. S. McDONALD would like to know why efforts were made to preserve an equilibrium in the Cabinet, if it was not in obedience to the implied principle of the double majority? Why, when the appointment of Mr. Solicitor General Morin was made, was it necessary to balance it by that of Mr. Morrison? Why, for no other purpose than to acknowledge that principle. Yet while admitting its importance in the Cabinet, it was persistently ignored in this House. That was the grievance, which, of all others, excited the indignation of the people of Upper Canada, and he assured Hon. members on the other side that it could not be permitted to continue. The member for Beauharnois said the Lower Canadians would hold on as long as they could. Well, in his opinion, no man with proper sense of pride or self-respect, would consent to occupy the positions now held by the Ministers of Upper Canada under such circumstances. The Hon. Mr. Hincks would not consent to keep office one day after he had lost the confidence of his supporters, and when Mr. Baldwin had still the confidence of a double majority, he vacated his seat because a Bill in which he had some interest, was neglected.

Hon. J. A. MACDONALD—He chose to regard the vote as one of want of confidence in the legal members of the Nomination.

Hon. J. S. McDONALD did not mean to assert that, because of one or two adverse votes of a sectional majority, a Ministry should resign, but he insisted that when it became a permanent condition of things, as had now been the case for several years, they could not continue to hold office with honor. They should then walk out, especially when by a motion of want of confidence, they were solemnly assured they had forfeited the support of their friends. He had been accused of a determination to oppose all measures initiated by the ministry, but this was an error. True, he had objected to their right to introduce measures, but when they were in-

troduced he had given his help to perfect them. He had never been in this House when the Atty. General introduced a Bill, which was rather singular. Yet, such was the fact, they were always brought in in his absence. The Attorney General had told him that many of his [J. S. McDonald's] friends had condemned that speech, but he was a believer in straight-forward honesty, and trusted to be always so. He would now refer to the motion of want of confidence proposed by himself two years ago, [which he proceeded to read.] Well was it not reasonable? And were not the facts therein alleged equally true now. How would the member for Beauharnois like it, if the members for the Eastern Townships happened to have the power, and made all the appointments in the country? How did they like the condition of things from 1844 to 1847? They then fought against it with all their might, and they did well, and he and the Reformers from Upper Canada had supported them in their struggle, for he had always been disposed to be friendly to Lower Canada.

Hon. Mr. CAUCHON—How many Reformers? Seven?

Hon. J. S. McDONALD—Oh! the Hon. gentleman need not speak, he had changed his principles just about as many times.

Hon. Mr. CAUCHON—You had better take care, or I will shortly put you in contradiction with yourself.

Hon. J. S. McDONALD—The resolution said that the Government retained office by the votes of the Lower Canadian members,—and was not this true? If not, why did not the Ministry meet the motion manfully, instead of seeking to destroy it by a side-wind? He called upon the Upper Canadians on the Ministerial side, not entirely lost to shame, to rebuke this mode of proceeding. If they did not, they would abandon the rights they had been sent here to protect. The Hon. member then referred to the resolution of the Attorney General West of 1856, in which he declared that a continuous and systematic legislation for Upper Canada would be fraught with the greatest danger, &c. and he proceeded to show that that resolution had been practically and constantly ignored ever since, and the more so, since the last election, when the Upper Canada Ministers were plainly told that they had not the confidence of that section of the Province. The evil of the existing state of things was not overstated in the resolution. There was the Attorney General West, who, while in Opposition, declared most vehemently against one section being governed by the minority of that section, now appointing to offices men who had been rejected by the people. When Mr. Morrison and Mr. Spence were rejected at the polls, and so lost their seats in Parliament, and in the Cabinet, they were both placed in snug lucrative posts, out of harm's way, until the exigencies of the Attorney General West should require him to call them forth from their retirement. One of them, Mr. Spence, was appointed to one of the best, if not the best, situations in the Customs; and this, too, in direct

opposition to the law which he was the instrument of introducing, and carrying through the Legislature, and which provided that the higher offices of this character should be reserved for those who had filled subordinate ones. Mr. Morrison was appointed to a Registrarship. But the Attorney General, not being able to find any one else to accept the humiliating position, he had recourse to him to fill up the vacant Solicitorship, and this, too, with a seat in the Cabinet---a thing unknown in former times, and introduced since the time of the Baldwin Administration. (A voice: "No.") He maintained that this was so.

A MEMBER---Mr. Justice Aylwin and Hon. J. H. Cameron, had seats in the Cabinet as Solicitor General.

Hon. J. S. McDONALD said the Baldwin Administration had not done anything of the kind, and it was reserved for the present Cabinet to attempt to increase their strength by giving these officers seats in the Cabinet. Such was the degrading and humiliating position in which the Hon. Attorney General West was placed. Unable to command a majority, he ignored all he had stood up for in Opposition, and, by a Lower Canadian majority---the votes of the men whom the Reformers of Upper Canada had, in former days, stood by in support of their rights---coerced, humiliated, and degraded Upper Canada. This might be strong language, but it did not convey more than he felt, for there was nothing, public or private, on which he felt stronger.

Mr. ROBLIN said the Hon. gentleman had undertaken to throw the blame of the destruction of the Reform party, on those who now supported the Government. He (Mr. Roblin) remembered that the Hon. member for Toronto had scattered his *Globe* broadcast in support of Sir Allan Macnab, in support of the Hon. member for Renfrew, and the rest of the leaders of the great Conservative party. Mr. Baldwin himself had written a letter, approving of the course of his true friends---not his hypocritical friends---and by the aid of that, he (Mr. Roblin) had found no difficulty in convincing his electors that he was right in supporting the Ministry who had carried out the measures for which he had fought so long. And the Hon. member for Cornwall was a pretty fellow to talk about the majority from Upper Canada---to treat us to a lecture about the people of Upper Canada. Why, he had been returned by exactly 426 votes. (Laughter.) Now, he (Mr. Roblin) had received nearly three or four times as many, 1,555, in Lennox and Addington. And after the Hon. member for Cornwall had succeeded in turning out Mr. Hincks, he had paid a visit to Dundurn, for the purpose, probably, of getting a place in the Ministry with him.

Hon. J. S. McDONALD denied this.

Mr. ROBLIN proceeded to remark, in reference to Mr. McDonalds statement, that he (Mr. Roblin) always voted in support of any Government, that he had turned to the Journals of August, 1858, (great laughter) and there he

found a vote of want of confidence in the then Administration. (Laughter.) And his name was recorded against that. (Laughter.) Perhaps, however, the Hon. gentleman did not call that miserable Brown-Dorion abortion a Government. (Great laughter.) And then, as to Mr. Morrison's not having a seat in the Cabinet, why, when the Brown's Government was formed, there was a Mr. Holton in it who had no seat in the House. (Hear.) As for the double majority question, he (Mr. Roblin) never looked where the votes came from, so long as he got them, and that was enough, he thought. (Hear and laughter.) Again, were Hon. gentlemen agreed on the great questions of the day? Did they think alike on the great question of the Union? Were they not, rather, all at loggerheads about it? (Hear.) It was said Mr. Hincks had been turned out on the double majority question, but the fact was not so. He had been turned out because he was in the minority in the whole House, and had failed to elect his nominee for Speaker. And to conclude; this corrupt, this wasteful and extravagant Government, had introduced many great and useful measures, carried out all their schemes by large majorities, the Finance Minister and the Postmaster General had returned from Europe crowned with honor, and he (Mr. Roblin) felt proud of supporting that Government, and would continue to do so. (Cheers.)

Mr. TURCOTTE pointed out that the late elections in Upper Canada had been carried by a No-Popery cry, and blamed the majority from Upper Canada, for being inclined to kindle the flames of a civil war, of the most disastrous character. He knew that the Hon. Atty. General had often wished to resign---that he was tired of office---but he (Mr. Turcotte) had been to him, along with others, and had succeeded in influencing him and his party, to continue to act with the majority from Lower Canada. (Hear.) What had been the composition of the Government all the while? Was there in it a Lower Canada majority? Certainly not. There had been but few French Canadian members in the Government, all that while, but they were members in whose integrity the Lower Canadian members had confidence. They had confidence in the Seigniorial Tenure being settled, and it had been. That there was a majority of Upper Canada members against the Government was not denied; but he (Mr. Turcotte) would ask whether that Upper Canadian majority would respect Lower Canadian rights? Had the Hon. member for Iberville (Laberge) when he joined the Brown-Dorion Government, any guarantee, any check, to prevent that majority from tyrannizing over Lower Canada? He felt confidence, that the Hon. member for Cornwall, who had, of old, stood by the Lower Canadian Reformers, would not insult their religion and race, and he would be perfectly satisfied, if that Hon. member would come and join the Government. (Hear, hear) The Lower Canada majority, long ago, had joined the party called the Tory party, in Upper Canada, and

although party lines and alliances had somewhat changed, they would stand by them now. (Hear) He accepted the present issue as one of confidence in the ministry, or the reverse, and he would vote as such.

Hon. Mr. ALLEYN said the Hon. member for Toronto had stated in a speech at Hamilton that he and his colleagues had, night after night, and day after day, discussed all the great questions of that period; they had earnestly considered whether the discord between Upper and Lower Canada could not be remedied; they had called friends to their counsel, and had come to certain conclusions regarding the important questions of the time; they had arrived at an understanding on which they were fully justified in pledging their characters. Now, as they had the opportunity last session of explaining their views, how was it that the House had never heard of those principles? With regard to the Orangemen, he must say he extremely regretted, looking at the matter politically and religiously, that Orangeism had ever been introduced into Canada. Looking at it in a broad and national point of view, he regarded it as a serious error; but the men who had done the most to galvanize and resuscitate the dead body of Orangeism, were those who raised the question unnecessarily, and merely to serve political purposes.

Mr. McGEE—Hear, hear.

Hon. Mr. ALLEYN did not wish to enter into a personal dispute on the subject, but exceedingly regretted that it had been revived in Canada. The Catholics of Canada, however, were indebted to the Orangemen for carrying out their views. In the *Globe* of Aug. 17th, 1857, it was stated that the Orangemen voted for the Catholics, and for the nunnery incorporation. This had caused bitter feelings in the country, and he regretted it.

Mr. McGEE—Does the Hon. Attorney General West regret it?

Hon. Mr. ALLEYN thoroughly preferred the Orangemen to the Grits—(Laughter)—but he hoped Orangeism would die out.

Mr. McGEE—The Attorney General West will die out too.—(Laughter)

Hon. Mr. ALLEYN said, on the subject of Separate Schools again, the present Government had been condemned for being too liberal in bringing in a bill which met the views of those who were in favour of Sectarian Schools. If the Hon. member for Toronto had changed his views upon this subject, or upon that of Representation by Population, or on the incorporation of nunneries, and on other questions of vital importance to Lower Canada, the day might come when they would be prepared to receive him, but he should like to hear of the changes if they had taken place. The Hon. member for Toronto had, for years before, denounced the Government, because they had no policy upon the subject of education, yet, when he himself came temporarily into power, he had no policy on the subject, but proposed to send a missionary home to travel about the country, and make a report some

years afterwards. (Laughter)

Hon. Mr. FOLEY—That was two years before the Brown-Dorion Government was formed, and they were not responsible for it.

Hon. Mr. ALLEYN said he quoted the *Globe* of 1856, but it showed that the leader of the Opposition had fixed views on the subject two years before. There was a time when the Opposition party had a fixed policy on all the great questions of the day. Now they talked only of corruption, and had determined it to be necessary that this prosperous country should be split up into various municipalities, and a more popular Government established. But the vote of to-night would show more clearly than ever, that the confidence of the Country was in the Government, notwithstanding its imperfections, and not in the members of the Opposition. (Hear.)

Mr. FERGUSON considered the question before the House serious, and involving the fate of the Ministry. The resolution of the Hon. member for Waterloo, set forth that the patronage of the Crown was dispensed by a Ministry representing a minority of the people of Upper Canada—and that the Crown appointed persons to offices which they were incapable of performing. Against this, he would set off the fact that the present Administration had appointed more Reformers to offices than Conservatives. Leaving out of the question the appointment of Messrs. Ferguson, Spence, J. C. Morrison, and the member for North York, it was true almost all the offices in his own county (Simcoe) were given to Reformers. The only reason he could imagine then, for the present course of the Opposition, was, that they were not consulted in the making of those appointments, and that Clear Grits were not appointed to every one of them. He did not agree with all the acts of the Government—nor did he believe in all the members of the Government. He believed that there were some traitors amongst them, who would take the first opportunity to betray them. (Cries of "Name, name.") He would not name. But he would say that he did not mean the Hon. Commissioner of Public Works, (Mr. Alleyne) who had always acted rightly, and for whom he had the greatest respect. However, although he did not agree altogether with the Ministry, he could not agree at all with the Opposition—so he could choose the least of two evils and vote against Mr. Foley's resolution. He considered that no one could vote for those resolutions who had voted for Mr. Foley's former amendment to Mr. McGee's anti-Orange resolution—for if they did, they would be sure to stultify themselves. He was astonished that the member for Lambton had gone back to his idols. In the words of the Grand Master, he would say, "Let him alone." He considered Mr. McGee too insignificant to refer to. He was disloyal, and had the mark of the beast. As he said before, his feelings were with his friends, and he loved his friends too well to desert them. He could not say that "*prima facie*," the Government did not possess the confidence of the House—as it was apparent, from experience, that the Gov-

ernment had the majority in the House. And as to the double majority, it was his conviction that the Government had all the honest men in the House, from Upper Canada, with them, at all events; and the rest, together with the members from Lower Canada, called, he thought, the "row-ges" (*rouges*)—it sounded very like "rouges"—were in the minority. As to the Upper Canadian members of the Opposition representing Upper Canada, he didn't believe it. He believed that those gentlemen did not represent their constituents, as they would come to find out at the next election. He saw that the Hon. member from Toronto was not listening to him. But he could assure him that he might listen to something worse. He would also say that he considered Mr. McGee the worst specimen of an Irishman that he had ever seen. He begged to take his seat and vote against the resolutions.

Mr. MCGEE said, he had not intended to follow the two Hon. gentlemen who had last spoken, but in the exigencies of debate, they sometimes found themselves in disagreeable associations. The Hon. Provincial Secretary had been endorsed by the Hon. member for South Simcoe, and the public would understand what value to place on that endorsement. The Hon. gentleman who first spoke against the motion this afternoon, the Hon. member for Leeds and Grenville, argued that the case of Upper Canada was analogous to that of Ireland and Scotland. This was a fallacy, for the Crowns of Ireland and Scotland had been merged into that of England, and there was no stipulation that these countries should have an equal voice in the Imperial Cabinet, and in the representation with England, as had been provided, in the 12th section of the Act of Union between Upper and Lower Canada, should be the case between those two Provinces. In view of this direct contrast, that statesman was the worst enemy of his country who taught one section to inflict injustice on the other, and such a course of conduct must, sooner or later, recoil upon the section inflicting that injustice. The Hon. member for Cornwall had stated in the strongest manner his preference for the Double majority principle. He (Mr. McGee) agreed with the Hon. gentleman in the advisability of observing that principle, but he objected to its being laid down as an inflexible legislative ordinance, and therefore he had voted against the motion of the Hon. member for Montmorency last Session. In view of our present constitution, which he had always declared to be *ad interim*, he should probably do the same again, if the question were again brought up. No Government, however, ought to retain the reins of power, which had not the confidence of the majority of both sections, especially not such a one as the present, the adverse majority of Upper Canadians against which was systematic, and continuous. (Hear.) So much for the General question. He would now come to the speech of the Hon. Provincial

Secretary. He Mr. Alleyn had been pleased to make some remarks in relation to the position of Roman Catholics in this Province, and to deprecate Religious distinctions in politics. He (Mr. McGee) could entirely agree with the Hon. gentleman, and regretted that he could hardly believe the expression serious. For if there were one member in the House who was entitled to give utterance to such an opinion, it was himself, since the Authorities of the Church to which he belonged, and which he sincerely revered—against which, if he could take out his heart, and look at it, he would find no single pulsation—had been induced to sign public documents against him, because he had had the honesty to choose his own part in politics. It was a bad day for the public men of Canada; when they were obliged to resort to such means. He repeated it, he had the greatest respect for those high dignitaries, whose names were last year signed to a document, directed for the most part against his position. But he regretted they should ever have been led to descend from their high stand-point to dabble in the politics of Honorable gentleman opposite, and to endeavour to subvert them, not willingly he admitted, not willingly he declared, because they were entrapped into the position they took. He was very sorry any body of clergymen should have declared themselves, over their own names, as opposed to Representation by Population or any other political question. If he had argued the Separate School question, it was on the ground of Parental as opposed to State rights; if he had spoken on the question of Divorce, he had treated it as a social question bringing confusion into families. He had not introduced religious consideration into either. He had religious connections, but he did not unnecessarily thrust them upon the House. His Hon. friend from Toronto had opinions too, and was entitled to honor for the free expression of them, for having the manliness to stake then. Better a thousand such enemies, who spoke on what they meant, than half a dozen supporters who smiled and smirked in your face, but would betray you behind your back. Sooner—the Hon. member for Toronto, than men who profess fairness, but who used the Crown Lands, the Public Works, the Finance Department, the Attorney General's Department, to assist the brethren of their secret order. (Hear.) Who had been the conduct of the Hon. gentlemen opposite? There was the Provincial Secretary who had said he hoped the Orange Society might soon die out—saying it, however, in the mildest terms. That Hon. gentleman, report said, had pledged himself rather to be tarred and feathered, than vote for that society.

Hon. Mr. ALLEYN—I did say so.

Mr. MCGEE—Yet he voted for the first reading of the Orange Incorporation Bill.

Hon. Mr. ALLEYN—And would do it again. The first reading does not affirm the principle.

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 22, 1860.

THE NON-CONFIDENCE MOTION.

(Concluded from our last No.)

Mr. McGEE—The very title of the Bill betrayed its true character, and the Hon. gentleman voted for the first reading. And the second reading came up the same evening, and the Hon. member for Montmorenci moved the six months hoist, and the Hon. member shirked the vote.

Hon. Mr. ALLEYN—I did not know it was coming off, but should have voted against the motion in amendment, for it was not a fair way of dealing with the question.

Mr. McGEE—The Hon. member must have known it was coming on, for the two readings, followed one after the other, without intermediate debate. And if the Hon. member was sincere in his denunciations of Orangeism, why did he sit beside a man who joined the order in 1842, and permitted himself to be its legal adviser in 1856. That was the Attorney-General. And there then was the Postmaster-General, who said he was proud to be a member of the Association. Why did the member for Quebec sit beside that Hon. gentleman? It had been said that Orange liberality had carried the Separate School Bill, and that they were similarly liberal in other things. They did not pass that Bill, because they were liberal in principle, but because they clung to the coalition, and wanted to get offices out of the men in power. (Hear.) The Lower Canadian section of the Ministry now ruled Upper Canada through Orange influences, connected, as it was, with a minority of broad-cloth Tories, recruited from Orange lodges.—(Hear.) This, as well as other things, made him believe the greater part of the political honesty of the House was with the Opposition.—The very differences of opinion among them, so openly expressed, were a proof of this. But the supporters of the Ministry dared not speak for themselves—they rose at the beck of their lead-

ers, as if at the *baton* of an *impressario*. And he would vote for the original motion with hearty satisfaction. (Hear.)

Mr. A. P. McDONALD said it was well known that the Magistracy for the West Riding of Middlesex, were all men properly qualified for the office, and as the electors of that Riding complain of suffering injustice at the hands of the Lower Canadians, he had never heard them do so. He had been elected by a large majority, and was sent here to discriminate measures, and not men, and he would be governed by their desire. When he observed the diversified materials of which the House was composed, he was at a loss to understand how the member for Cornwall proposed to accomplish his project of establishing a double majority. In his opinion it was a mere double shuffle. It was well enough while the Municipal Loan Fund lasted, but so soon as it was absorbed, there was necessarily an end to it. Well, after that there was Federation, and then joint authority, and all this on the Opposition side. Now, if they could not agree while they made common cause against the Ministry, how could they agree if they got into power? The junior member for Montreal, who was a Roman Catholic, said his views harmonized with those of the senior member for Toronto, and he approved of his policy. Well, when he (McDonald) was running for his Riding, the Hon. member for Toronto represented him as a Roman Catholic, and said he should be returned home on that account. Did the member for Montreal approve of this. His idea of Confidence, or Want of Confidence was, that the party that brought the best measures was entitled to confidence. If the Opposition could show better measures than the Ministry, or could beneficially amend those of the Ministry, he would say they were entitled to the preference, and he would vote for them. But how, supposing he voted non-Confidence, could he go to his electors and tell them he had helped to put out the Ministry, without sufficient cause. He did not see any reason for making distinctions between the two sections of the Province, and he thought the

duty of an honest member was to legislate in view of the interest of the whole. The Union was acknowledged to have been a great advantage to Canada, and he would do what he could to sustain it.

Mr. WILSON would like to know what the present Ministry could be called.—conservative or coalition. He doubted if Ministers themselves knew. They had not the confidence of the country—that was sure: at least of Upper Canada. There was the Attorney-General East, for instance, went in for a double-majority scheme. The Hon. Inspector-General was once a strong annexationist. Another of the Ministry favored a Federal Union—another a Legislative Union of the Province; and it was out of this heterogeneous mass that the present Ministry was formed. And yet, it was these very same gentlemen, possessing no policy themselves, who called on the Brown-Dorion Government, when out of the House, to explain their policy.

Mr. POWELL would like to hear the Hon. gentleman's own policy.

Mr. WILSON would explain them to the Hon. gentleman if he were anxious to hear them, at the proper time. But to continue. There was the Provincial Secretary, who had had the assurance to say that he could not enter into a controversy with the talented and eloquent member from Montreal (Mr. McGee.) And this very gentleman, the Provincial Secretary, if report were true, would soon go out of the House.—(Cries of "order.") Yes, he would repeat that he ought to go out of the House. (Renewed cries of "order.") Hon gentlemen might call "order" as much as they liked: but if the facts were as represented, that gentleman ought not to have a seat in the House. ("Order.")

Attorney-General McDONALD would like to enquire of the chair, if it were proper to allude to the judicial proceedings of the Election Committee, before the report was under consideration?

The SPEAKER replied that it was not, but that he did not think that Mr. Wilson was alluding to the proceedings of the Committee.

Mr. WILSON continued: He was not astonished to hear the member for Welland support the Government. A man that quoted the Bible to prove that Esury was not right.

Mr. McMICKEN hastily interrupted Mr. Wilson, to inform him that his statement was not true.

Mr. WILSON said he was not speaking to the Hon. member for Welland. He was addressing the chair.

Mr. McMICKEN would let Mr. Wilson know that he was listening to him.

Mr. WILSON proceeded to condemn the actions of the present Administration, dwelling at great length on the "double shuffle," and the part played in it by the Hon. Attorney-General East.

Mr. McGEE begged to interrupt the Hon. gentleman. It was not fair to attack a man, that was asleep. (A VOICE.—"He has one eye open." Laughter.)

Attorney-General McDONALD thought that, if the Hon. gentleman (Mr. McGee) continued speaking, the whole House would go asleep.

Mr. WILSON thought that the Attorney-General East pretty "wide awake;" (laughter) and proceed with his remarks. He could not find language hard enough to condemn the "double shuffle." It was, in his opinion, a cottillion—"hands across and down the middle."—(Laughter.) At the same time, he did not mean to mean to impeach the Judges who pronounced the "double shuffle" legal. He had the highest veneration for their integrity and talents. But at the same time, he must condemn the "double shuffle." There was no doubt that it was legal—the Judges had said so. But it was most decidedly unconstitutional. The Judges gave the Ministry the benefit of the legality of the trick—for it was nothing else—just as many great criminals are allowed to go unhung, because the law fails to meet their case. He thought there was no gentleman who would think it absolutely necessary, that a double majority should be insisted upon on every occasion; but if the Government was in a minority in any one section of the Province, then he thought that ought to be decisive as to the fate of the Government. The Attorney-General West now repudiated the principle, although he had strongly advocated it when in Opposition. The Hon. gentleman had placed on record his opinion, that any continuous and systematic legislation affecting the interests of one section of the Province against the wishes of the majority, would be fraught with disastrous consequences.

Hon. Attorney-General MACDONALD inquired from what document the Hon. gentleman was reading?

Mr. WILSON—From the Address of the Constitutional Reform Association, to the people of Upper Canada. (Cries of "oh.")

Hon. Attorney-General MACDONALD said he had not intended noticing the remarks of the Hon. gentleman at present, but he could not allow him to proceed further without calling his attention to the fact, that the resolution, as quoted in that Address, was deliberately and wilfully falsified. He had not spoken of "continuous and systematic Government," against the wishes of the majority of one section, but of "continuous and systematic Legislation," as would be seen in reference to the votes and proceedings.

Mr. WILSON thought there might be some slight difference between "legislation" and "government," but for his part he could not see any. The only point argued was the double majority in the Legislative Assembly; not in the Executive Council—that had always been conceded. The Hon. Atty. Gen. West's language was only so much stronger, to the same effect than that he (Mr. Wilson) had used. The double majority, sustained by the Attorney General West, had been systematically and continuously violated. One of the acts referred to was for the settlement of the Clergy Reserves. The

Attorney General West, before he was in office, had been very strongly in favor of secularizing the Clergy Reserves.

Hon. ATTY. GEN. WEST—I never voted on the subject in my life.

Mr. WILSON had always taken these to be his views—and when he came into power, one of his first acts was in accordance with such views. For extending the jurisdiction of the Division Court, they were entitled to some credit; and also for the Act for the payment of Juris, and for the law relating to the collection of debts. The Municipal Act was deserving of high praise, and had been of great good to the Province. It had been said that no credit was given to the Ministry, even where they had done good acts; but that was certainly their own fault. If, in their general course of legislation they could not gain the respect of the people, they might not receive it in cases where it was really due. It had been said that Lower Canadians could never operate unanimately with Upper Canadians. He did not think the difference between them so great as that would argue. As regarded the Lower Canadians, no person who had ever written or spoken against their laws or institutions, had ever done them half as much real and permanent injury as he who pronounced them an "inferior race." You might condemn their religion or insult their country, but the moment you stamped them as an inferior race, you charged them with an incurable defect. (Hear, hear.) And the Attorney General West had said, in speaking of the selection of Ottawa as the Seat of Government, "it was done only to humbug the French—he never intended to carry it out."

Hon. ATTY. GEN. WEST—Where did I say that?

Mr. WILSON—At the Hustings in the town of Kingston.

Mr. McGEE—I have the affidavits in my desk, and can produce them immediately, if desired.

Hon. ATTY. GEN. WEST—Oh, another day will answer just as well.

Mr. WILSON must say that, because the Ministry did not represent the people of this Province, and because they had no fixed policy, dis-credit had been brought upon the House and disgrace upon the Ministry—(Cries of "Oh, oh!")—who, by submitting then systematically to the domination of the Lower Canadians, were pursuing a course which would some day react seriously against them. He would vote against the amendment, and for the main motion.

Mr. McMICKEN said, the leader of the Opposition had complained that arguments from his side of the House, were always answered by a "ha, ha, ha." Such an answer, he (Mr. McMicken) thought, exactly suited to the arguments of the Hon. gentleman who had just made a shadow of himself and quietly disappeared. (Hear, hear and laughter.) Indeed, his own excuse, that he had not given much attention to politics would be an abundant apology to those who might be disposed to set him down as having the pedantry

of the schoolmaster without the learning of the scholar. He had given them a tedious repetition of all the arguments that had been used for two sessions past. But Hon. gentlemen knew the Government to be all right; there was no trouble about it.

A VOICE—Its the people who have the trouble.

Mr. McMICKEN was quite satisfied that the Ministry of the day had the confidence of the people of Upper Canada.

Mr. COOK—Were you not once a little shaken in your confidence?

Mr. McMICKEN said he had always had confidence in the Ministry, and fought manfully for them. They went to-day for the same things they went for twenty-five and thirty years ago. A staunch Reformer had told him yesterday, that the Cartier-Macdonald Government was deserving of the thanks and gratitude of the whole country. (Hear, hear.) The legislation had uniformly been in accordance with the best interests of the people. There was little sympathy with the Reform party in the country at large; there had been some meetings held, but not like there used to be. What was the last great Convention? Why, it was not a meeting of Upper Canada; two thirds of the delegates were self-elected men, and were paid no attention by any other parties.

On motion of Hon. Atty. Gen. CARTIER, the motion was appointed the first order of the day to-morrow.

The House then adjourned at one o'clock.

LEGISLATIVE COUNCIL.

Quebec, 23rd March, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

MECHANICS INSTITUTE.

The Toronto Mechanics Institute Repeal Bill was reported from Committee, and ordered to be read a third time on Monday.

UNIVERSITY OF TORONTO.

Hon. Mr. DEBLAQUIERE moved that the Petition of the Chancellor and Vice Chancellor of the Toronto University, be printed and distributed, as it contained a full refutation of the charge brought against the University, by those who wished to despoil it.—Carried.

INSPECTION OF RAILROADS.

Hon. Mr. DEBLAQUIERE enquired of the Government whether the recommendations suggested by the Inspector of Railways, in the Report of the Railway's Commissioners for 1858, have been wholly or in part carried out; and if not, what are the objections thereto. Also, whether it is the intention of the Executive to continue a rigid inspection, not only previous to authority being given for opening any new line of Railway, but also for preventing the working of existing Railways, when attended with danger to the safety of the Public, from a

faulty or decayed construction. Also, if the Report of the Railway Commissioners for 1859, will soon be laid before the Legislature.

Hon. Mr. VANKOUGHNET replied that the Ministry had had a communication with Mr. Keefer on the subject, and learned that a great deal had been done to carry out the suggestions alluded to. Some of them, however, such as the one kind of signals, it was found could not be carried out. Efficient Bridges were being erected where they were required. A new iron one had been got up over the Desjardines—but it was necessarily a swing bridge, or arrangements would have to be made with the people of Dundas, whose navigation it would interrupt, before a fixed one could be put up. The report of 1859 would be presented shortly. It was the intention of the Government to have the lines of Railroad under the supervision of an Inspector, without, at the same time diminishing the responsibility of the Company. In England, such a system had been tried, but it was found that the Companies were too glad to throw all the responsibility on the Government, who appointed the Inspector, and it was abolished. Here it was expressly provided that the appointment of the Inspector should not diminish the responsibility of the Company.

INTERNATIONAL BRIDGE COMPANY.

Hon. Mr. CHRISTIE moved the second reading of the International Bridge Charter Extension Bill. The object of the Bill was to extend the time for the beginning and completion of the work.

SUBSIDY TO OCEAN STEAMERS.

Hon. Mr. VANKOUGHNET moved the second reading of the Act to grant additional aid to the Canadian Line of Steamers, and for the extension of the line of Telegraph to the Straits of Belle Isle. This Bill needed now no explanation. Its object was to increase the present subsidy to the line of Canadian Steamers from £800,000 to £1,040,000. The necessity for this increase was irresistible. The country should show confidence in the line, especially after the recent calamity which befel the line, and which would naturally create distrust in the line in England, and show, by pledging our revenue to its support, that we were neither disheartened or frightened. It was necessary that this increased subsidy should be voted, if it was intended that Canada should continue to progress as she had done. The nations of the world must have been astonished to see Canada stepping across the ocean from her home in the back woods, and carrying off the postal traffic of the world. It would be rather mortifying to the nationality of the Province to have to retire from the contest after making such a successful start. The United States, with all its resources, was not able to keep up such a line of powerful, safe and quick steamers, as Canada with her limited resources now had. France was proud to give the carrying of her mails to a country to which she had once been related. Prussia and Belgium had done the same thing—and since the

debate on this subject in the Lower House, the carrying of the New Orleans mail had also been secured by the Postmaster General. So that at the present moment, Canada stood in the proud, and enviable position of carrying the mails of the whole of the American Continent, from St. Paul's in the north, to New Orleans in the south. And in addition, Canada also carried the mails of the European continent (Hear, hear.) The United States had made a great exertion to become known in the old country. The authorities had sent home maps in which the United States were beautifully displayed in large proportions, while Canada was pushed up in a corner with the River St. Lawrence, making a dash for the North Pole (laughter.) He had taken care to remedy this as far as he could. For he had sent home large quantities of the maps of Canada, in which the United States got as little quarter as they showed to Canada. (Hear, hear.) The Hon. gentleman pressed on the House the necessity of passing that Bill without delay, for the reasons above set forth, and also because of the fact that a Committee was sitting in the House of Commons in England, on the subject of subsidies: and from the former conduct of the Cunard Company, who had carried their point against the report of the Admiralty, and got their contract without the restrictions sought to be imposed on it by that body. And if the Cunard Company were able to do that, there was room for apprehension, as to how they would be able to influence the English House of Commons again. It was with a view to protect the rights of Canada, in any emergency that might arise, that it had been thought proper by the Executive to send home the Hon. Mr. Ross. The Government thought that now was the time to extort an admission from the Imperial Government that Canada had been wronged—and to secure for our line a Subsidy. If the Galway Line was to be maintained by an Imperial Subsidy, and the Cunard Line subsidized to encourage a foreign trade—it was not too much to expect that the Canadian Line should get a Subsidy of £50,000: or else all Subsidies should be done away with—either of which would satisfy the Province. A strong opinion had been expressed in England against the injustice of subsidizing different lines of steamers and overlooking Canada. The *Times* had recently stated the case very fairly—either Subsidies should be given up altogether or Canada should get her share. Great injustice was done to our national line in England. It was at first denied that it was a British line at all. The working of the line was the means of saving the Province the sum of \$2,800,000—and besides would bring the Province before the notice of the world. For after all, it was not the mere sum that the line would earn that was worth talking of—it was the immense advantage that must flow to Canada from her name becoming known all over the world. He did not anticipate any opposition to the Bill, and would move the second reading.

Hon. Mr. DEBLAQUIERE seconded the motion. He concurred in the observation of the Hon. Commissioner of Crown Lands, that under all the circumstances there was no time to lose in passing the Bill. He wished to have it understood, however, that by this prompt action, the Government were not bolstering up a broken-down concern. For it was a fact, which seemed to be lost sight of, that long before the losses which the line had sustained, the Company had stated that they could not carry on the line unless there was an increase of the Subsidy. He was pleased to hear of the success of the line. He, (Mr. DeBlaquiere) on the occasion of the late visit of the French frigate to our Province, had the honor of conversing with her Commander, and he was assured that that great man, the Emperor of the French, had the most friendly feeling towards Canada, and took a great interest in her welfare. (Hear.)

Hon. Col. PRINCE concurred in what had fallen from the Hon. gentleman regarding the Emperor of the French. He was a great man—and he (Col. Prince) believed that he was sincere in his professions towards England. With regard to the Subsidy, he did not anticipate any opposition to it. (Hear, hear.) The Postmaster General deserved the highest credit for the success of his scheme.

Hon. Mr. HAMILTON testified to the excellence of the Canadian Line. He had lately crossed the ocean in some of the vessels, and minutely examined them, machinery and all—and he believed that they were the most perfect vessels afloat.

Hon. Mr. ALEXANDER said that the Canadian line must be supported, because there were great public works in Canada which this line must feed and support—because it would bring the Province before the notice of the world—and because it would strengthen the connection between the Province and the mother country. He strongly deprecated the conduct of the Imperial Government in subsidizing a line of steamers running to a foreign port, instead of nurturing and helping on the young Province. But while he believed that the Canadian line must be sustained, he also thought that the Government might have adopted a better plan. He did not think that there should have been such a mawkish sensibility in approaching the Imperial Government on Canadian matters. In place of their subsidy he thought that a deputation should have been sent to the Imperial Government to represent the case of the Province, and ask for justice. The Hon. gentleman, before sitting down, drew attention to the increase in the expenditure, of the Province, which had greatly increased within the last few years.

The Bill was then read a second time.

Hon. Mr. VANKOUGHNET moved that it be committed to the Whole for the whole.

The House went into Committee of the whole, Hon. Mr. Crawford in the chair, and reported the Bill without amendment.

Hon. Mr. VANKOUGHNET asked the House to allow the Bill to be read a third time forth-

with. His object for doing so was, that as a steamer sailed from Portland on the morrow, it was the wish of the Government to telegraph a copy of the Bill as passed, in order that it might be at once transmitted to England. Of course, as the Bill was a Government measure, the consent of the Governor General was a mere matter of form.

The Bill was then read a third time and passed. The House then adjourned.

LEGISLATIVE ASSEMBLY.

Friday, March 23, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend the Upper Canada Consolidated Statutes, Chapter 17; so far as regards the appointment of Constables.—Mr. Holmes.

BILL to provide for the Registry-Office of the County of Welland, being kept at the Public Buildings for the Village of Welland.—Mr. McMicken.

BILL for the regulation of Insolvency and Bankruptcy, and the realising of Estates under deeds of Assignment.—Mr. John Cameron.

THE NON-CONFIDENCE MOTION.

The Debate upon the Hon. Mr. Foley's motion for an Address to His Excellency, upon the subject of want of Confidence in the Administration, and Mr. Quinn's amendment thereto was resumed.

Mr. LABERGE had an amendment to propose which he thought would please both sides of the House. It was the same which had been introduced a few years ago by the Hon. Attorney General for Upper Canada. He (Mr. Laberge) did not propose to detain the House upon the subject. Members of the Opposition approved of the resolution—members of the Government side would surely do the same, as he did not see that they could have changed their opinions so soon, as they would evidently have done, by voting against a resolution, now, which they had sustained but a short time since. The amendment he proposed was, to strike out all words after "that," and to substitute the following, "This House is of opinion that the conduct of the Administration, in governing, continuously and systematically, one section of the Province in opposition to the wishes of that section often expressed in this House, through its representatives, is fraught with danger to the well-being of the Province.

Mr. J. CAMERON considered the motions and amendments deserving of consideration, but for his part he could not approve of any of the three. There had been some appointments made, however, by his Hon. friends on the Treasury Benches, which he could not endorse. (Hear, hear.) The Hon. gentleman from North York had received from Government a very important duty to perform, and one for which he had been

handsomely rewarded, and he (Mr. Cameron) had little expected to hear, from that Honorable gentleman, such remarks as those he had addressed to the Government last night. After the confidence that had been placed in him, such remarks were particularly out of place and ungenerous. He (Mr. Cameron) also disapproved of the appointment of Mr. Morrison, as being wholly contrary to the principles of Responsible Government. Personally he could not and would not say one word against that Honorable gentleman, for he (Mr. Cameron) entertained for him a high regard. On the same grounds he might object to other appointments, being desirous to maintain Responsible Government in its purity; but to obtain this where was he to go to find it? It was not to the gentlemen on the Opposition benches, for, when forming his Two Days' Government the Hon. member for Toronto had taken the very course he and his friends now so loudly condemned. For did he not call on Mr. Holton who had been rejected by a constituency. He (Mr. Cameron) did not boast of his independence, but he looked to measures and not men. In the case of the Tariff, and Seigniorial Tenure, he had felt himself called upon to give his strongest opposition to those measures; but as they had become law, he was now bound to sustain them intact. The course he had taken during the two Sessions he had had the honor of having a seat in this House, had been such as to fully satisfy both his friends and opponents in his county. He would remind the House of another cause that he (Mr. Cameron) had for having no confidence in the gentleman sitting on the opposite side, that was, when, in 1858, his (Mr. C.'s) motion of Representation by Population was brought up, it was reasonably to have been expected that the Hon. member for Toronto, and all his followers, would have given that motion his entire support—as the cry with which that Honorable gentleman and his friends, during the elections, made the whole Country resound. But how was it when it came to the vote? Why he gave orders to his followers that they would all vote against it, and they voted against it accordingly. His course during the two Sessions he had sat in the House had been such as to satisfy both his supporters and his opponents in his County. He would remind the House of the course he had taken in 1858 with regard to Representation by Population. But the Hon. gentleman opposite had unanimously voted against it, by previous understanding.

Hon. Mr. BROWN—When was that? We never voted against Representation by Population!

Mr. J. CAMERON—The journals of the day would speak for themselves. If that was the way the Hon. gentlemen deserted their principles, when it came to the point, what faith could there be in any measures they introduced? He (Mr. Cameron) was in favour of a Government decidedly one thing or the other,—a Government pure and simple.

Hon. Mr. FOLEY—You have one that is "simple" enough. (Laughter)

Mr. CAMERON preferred a pure and simple Government,—a conservative one is the reverse to a coalition Government. (Hear, hear.) He would have preferred to have had the debate continued on the main motion. He should however, support his friends now in the Government, instead of those who wanted to get there.

Hon. Mr. CAYLEY said, the Hon. member for Iberville, had brought forward an amendment professing intended to obviate all existing difficulties, and restore perfect harmony to the House: but he begged to assure that Hon. gentleman, that on this side of the House, there was no difficulty to obviate—no disagreement to reconcile. The panacea was recommended to the whole House, but on his side (Mr. Cayley's) they did not feel sick:—(Laughter)—they were hearty and sound. (Hear, hear) and begged the Hon. gentlemen opposite to keep this remedy for themselves, against they were prepared to take their seats on the other side of the House. (Laughter.) The Hon. member for North York must have given pain to many of his friends, in his speech of last evening; its warmth, its bitterness, its personality, were something unusual. For years past gentlemen had sat opposite the Ministry, and brought forward their charges, and warm language had sometimes followed, but when the Hon. member came to the House to make his first speech, and deliberately indulged in such charges, and in such language as he had done last night, he must consider the morality, and the sense of propriety of the country, in a very deplorable condition. However, he had given a piece of information in the course of his remarks, which he (Mr. Cayley) was glad to hear. He had said that the only difference between the Fellowes case, and the case of the members for Quebec, was that one had been imprisoned for obtaining 300 false votes, and the others obtained ten thousand spurious votes, and were allowed to keep their seats in the House. The part which Mr. Fellowes had played, however, involved his personal criminality, for he had himself, or through direct agency, procured a falsification of the votes: but he (Mr. Cayley) had heard no such charge brought against the Hon. members for Quebec. The Hon. member for North York had charged the Administration with all the bad acts, all the evil of the last six years: he had charged them with almost every crime that could be thought of. But he had filled the Mayorality of Toronto, and we could look back upon his administration there. The McLean matter had cost the country £75,000 or £100,000, but he (Mr. Cayley) supposed that was merely through folly or ignorance, or both. The Hon. member for North York had assailed the moral principles of gentlemen on the ministerial side of the House, but there were graver charges against the opposite party. During the recent election for the Mayorality of Toronto, a charge was brought against Mr. Matthew Cameron, that by his vote he had excluded a large class of men who once gave their hearty support to the Hon. member for Toronto.

Hon. Mr. BROWN—What class?

Hon. Mr. CAYLEY was surprised that the Hon. member for Toronto had so forgotten those who once rendered him such important services,—he alluded to Orangemen. Well, the Hon. member for North York availed himself of the charges brought against Mr. Matthew Cameron to procure his own election. Then there were circumstances connected with what was known as the "Champagne Guzzle" that were not favorable to the character of the Hon. gentleman. The Hon. member for North York had been unable, on the previous evening, to see any difference between Government and Legislation. He (Mr. Cayley) saw a very striking difference. It required the concurrence of the Upper and Lower Houses to produce Legislation. In speaking of the Government, the Hon. member seemed to have overlooked altogether the other branch of the Legislation. He might ask at this stage what majority the Opposition had in the confidence of the public.

Hon. Mr. BROWN—How many can you claim? That is the point.

Hon. Mr. CAYLEY would take the division list and compare with the Hon. member for Toronto. If the question was whether the people of Upper Canada were represented, he thought they must include the Upper House as well as the Lower, especially as they had some twelve members returned from Upper Canada, and out of the twelve, the Hon. member for Toronto could barely claim three. [Hear, hear.] Mr. Macdonald and Mr. Alexander might be called independents, but they were both strongly conservative. The Hon. member for North York had asked whether the members on the ministerial side of the House were conservatives or reformers. It was a very important question, and it was equally important to ascertain what was the political complexion of those who sought to obtain the same position. That party was not unanimous; their leading men differed on many questions; there was by no means the harmony on the other side that might be expected: they seemed to agree on only one point—Opposition to the Government. He was very anxious to know under what banner the Hon. member for North York intended to place himself; he supposed he was behind the scenes and was about to hoist new colors. The Hon. member for Toronto had first come into notice as a follower of Baldwin and Hincks; but there was a difference between the Hon. member for Toronto, and Mr. Hincks, afterwards, it was said, on account of a misunderstanding in regard to the Haldimand Election.

Hon. Mr. BROWN—As this is a personal charge, I will state again that there is no truth in it. Mr. Hincks and I never had a monetary transaction in our lives.

Hon. Mr. CAYLEY could not say from personal knowledge, but it was a generally received report. And when Mr. Baldwin came forward for election, he would certainly have been returned, but for the influence of the Hon. member for Toronto, who, through his paper, drove him back, and probably shortened his life.

He would offer but one more remark, and that was to express his regret that the miserable slander and detraction against the head of the Government had been again brought forward, and this time from a different source. (Hear, hear.)

Mr. FERRES said the accuracy of the constitutional knowledge displayed by the Hon. member for North York in his last night's speech, had somewhat astonished him. (Laughter.) That Hon. member had been the first man to say, in any Legislature, within the British Empire, that what was legal was unconstitutional. (Hear.) In the United States, such a thing might be—a law enacted might be declared unconstitutional by the Supreme Court of the Republic. But by the British system, any law which was passed by Queen, Lords, and Commons, became constitutional. The Hon. member had therefore made a most foolish blunder when, in his *Serenity Jesuany* sort of style, he declared a Statute of ours was unconstitutional. But the Hon. gentleman had gone further, had left Canada for England, and declared that the appointment of Peers for life, by Her Majesty, was unconstitutional. Now, this ground had never been taken by the House of Lords. There it had only been argued that it was unusual, that it was unprecedented. (Hear.) Such orations as that of the Hon. member, would lead the House to imagine that the members of the Brown-Dorion Government had been turned out of the House by a trick. Now, those Hon. gentlemen knew, the moment they accepted office, that they must resign their seats. They acted with the full knowledge that their acts would bring upon them that penalty, if penalty it were. (Hear.) The Hon. member had then proceeded to attribute to the Hon. Atty. Gen. West, some opinions that he had never held, quoting from a document which the Atty. Gen. had probably never read; that was the Address of the Convention of Nov. 9th. He had made the Atty. Gen. speak of Government, when the word ought to have been Legislation. He did not appear to know the difference between the two. The one was the basis of the other. [Hear.] And, in blaming the Administration for the alleged injudicious exercise of their patronage, he seemed to have forgotten that he had himself been employed by the Government, and paid, newspapers said, no less than £3,000. If this were so, then he [Mr. Ferres] must say it was a disgrace to allow any such sum to be paid for such services as the Hon. gentleman had rendered. [Hear.] In conclusion, Mr. Ferres stated that he had not been in sight of the Parliament House at Montreal at the time it was burned.

Hon. Mr. MOWAT said he regretted he had not had the satisfaction of hearing the speech of his Hon. friend from North York, as, from the effect it seemed to have produced on the Ministerial Benches, it must have been a powerful one. The speeches of the Hon. members for Renfrew and Broome, had been entirely addressed to it. But how did they deal with it?

He [Mr. Mowat] thought they were dealing with a question of great Provincial policy, but they had been treated by both those Hon. gentlemen to a personal history of his Hon. friend, and a narrative of some petty little questions which had arisen in a Municipal contest. Of what interest or importance were these things in a place or on an occasion like the present? The electors of Toronto had heard them all, and had shewn their confidence in the man by electing him a second time their Mayor. [Hear, hear.] But, not satisfied with referring to these trifling matters, they had also referred to some fees which his Hon. friend had received for his management of a case for the Crown. Surely, the Hon. gentlemen could trust their own friends. Surely, they did not regard the Government as so corrupt as to pay a political opponent more than he was entitled to for his services. Yet, it would really seem that such was the case. Be this, however, as it might, surely this was not the way to treat a great Constitutional question. But Hon. gentleman on the Ministerial side could not urge any question without imputing to their opponents, some low, dirty, mean, motive. [Hear, hear.] With regard to the amendment of the Hon. member for Iberville, it seemed to be one to which no one desirous of coming to this matter in a proper spirit, and intelligently, could refuse his assent. No one could deny that the continuous and systematic governing of one section, against the wish of the majority of that section, was a very great evil. At the same time, he did not think it was possible to lay down the double majority principle, pure and simple, as a rule. It would produce great evils to do so. But he could see no objection to their declaring that, the continuous and systematic governing of a section of the country against the will of a majority of its representatives, was fraught with the greatest evils. Such a state of things was opposed to the true principles of representative institutions and the liberties of the people. Ireland and Scotland had been referred to as giving a sort of precedent for it. But, assuming that the position of those countries was analogous to that of Upper Canada, the precedent was one to be regretted and avoided, and it was the duty of the representatives of Upper Canada to devise some means of avoiding it. Upper Canada had shewn most unmistakeably that much practical evil had resulted from the present system. Not only had those of her representatives, who showed their disapprobation of Government measures generally, expressed their feeling of the injustice of forcing upon Upper Canada Legislation which she did not wish, but also those who, in other matters, usually supported the Government.

Hon. Mr. SHERWOOD said he heard nothing of Representation by Population, nothing of the Separate School question, nothing of the Incorporation of Religious Societies—the questions

upon which the last general election turned.—Now, unless there had been a re-action on these subjects, why were they dropped? Why were they left alone?

Mr. FERGUSON said he intended to bring in a measure on the Separate School subject.

Hon. Mr. SHERWOOD would be ready to vote upon it. But why were these subjects dropped at the great Convention, of which we heard so much? Was it not in consequence of a previous arrangement? [Hear.] And what was the whole drift of the Address? It was that Upper Canada was ruled by Lower Canada, and that alone, save, perhaps, a complaint that the Government were exercising the patronage of the Crown against the wishes of Upper Canada.—[Hear.] The Hon. member for North York, in language which was, he would not say mean, but most violent and coarse, had alluded to differences of opinion among members of the Government. There were no such differences. But the Hon. gentleman now differed from his former self. He had belonged, until within the last two years, to the same party as himself [Mr. Sherwood.] But the agitation on the subject of Representation by Population, of the Government of Upper Canada by Lower Canada, and on religious matters, had wrought a change in him. It had been often remarked, that a recent convert was always most zealous, and the Hon. gentleman had certainly found it necessary to out-Herod Herod, and carry out the line of conduct generally attributed to renegades. [Hear.] The Hon. gentleman who had spoken last, had said the people of Upper Canada were almost unanimous in pronouncing that Upper Canada was misgoverned by the present Administration. In what respect? He [Mr. Sherwood] would call the attention of the House, to the course Hon. gentlemen opposite took, with regard to measures relating to Upper Canada. On the first or second reading, they voted against them, almost to a man, saying they were prejudicial to the best interests of Upper Canada. But how was it in the third reading? How was it on the final passage? Then they always voted for these very measures. [Hear.] There was the Bill relating to Surrogate Courts, which had been thus treated, and another, too, in respect to the conveyance of property by married women. The latter Bill was not a Government measure. It was introduced and carried in the Upper House, and was merely for the purpose of remedying some irregularities in the laws, relating to the subject. The Hon. gentleman who carried the Bill in the other House, had entrusted it to him, and simply because he [Mr. Sherwood] was a member of the Government, Hon. members opposite had all voted against it.

Mr. NOTMAN—It was intended to serve a gentleman in Cobourg.

(To be Continued.)

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 23, 1860.

THE NON-CONFIDENCE MOTION.

Continued from our last No.

Hon. Mr. SHERWOOD—That case was not touched by the original Bill at all, but Hon. gentlemen opposite voted for an amendment, which did bring it in. [Hear.] And what was the result on the third reading? Every man, except the Hon. member for Cornwall, voted for it. [Hear.] The member, too, who had signed his name to the Address of the Convention, came over to ask him [Mr. Sherwood] to introduce an amendment of a much more extensive character, and after opposing the Bill, wished to carry it to a greater extent than originally intended. [Hear.]

Hon. Mr. FOLEY—The Opposition complained that the Government did not introduce measures.

Hon. Mr. SHERWOOD—Moreover, no member of the Opposition had brought in any Bill to repeal any one of the Upper Canadian measures the Government had carried, so that when it was said the Lower Canada majority was forcing Legislation down the throats of Upper Canadians, this was a mere exaggeration, born of the imaginations of Hon. members opposite. [Hear, hear.] There was no question on which the Hon. member for North York had used stronger language than that which he called the "double shuffle." This had been brought before the tribunals of the land, who have decided in favor of the legality of the course pursued, and one of the judges had even said, that had Ministers gone back without any change of offices, they would still have been within the statute.

Hon. Mr. FOLEY—Why did not they do it?

Hon. Mr. SHERWOOD—The Hon. gentleman however, blamed the Ministers whom the Judges had justified. [Hear.] The Hon. gentleman

said he would argue the question over again, yet he sat down without doing so, without saying anything for or against it. As to the charge of perjury, which the Hon. member had hardly scrupled to make, almost directly, he [Mr. Sherwood] would say that even a lawyer took an oath to protect the interests of his clients, and, if he retired from business, was he to be indicted for perjury? And the members of the Brown-Dorion Government were guilty of perjury too, if the present Ministers were, for had they not taken an oath to discharge the duties of an office which they knew they could not continue to hold, for they knew they had not the confidence of the House, and the person at the head of the Government had informed them that he would not consent to a dissolution.

Dr. CONNOR—No!

Hon. Mr. FOLEY.—The Hon. gentleman was not in the Cabinet; he knows nothing about it. [Hear.]

Hon. Mr. BROWN—There's not a word of truth in it! [Hear.]

Hon. Mr. SHERWOOD had heard and read it. Any body who could read and understand anything could understand that this was the case. The charge had been made, too, that the Hon. gentleman who received the note to that effect had not laid it before his colleagues. Hear. In reference, however, to the question at issue, he maintained that this was one Province, and that we could not have one Province with two majorities. (Hear, hear.) As soon as the House pronounced that they had no confidence in the Ministry, they would, of course, resign their seats. But if the people of Upper Canada were so violently opposed to the Government as had been stated, why had they not taken the trouble to elect delegates to the Convention? Why was it that the member for Cornwall had stayed away from it, and called it, as it was, a humbug? Why was it that, in his (Mr. Sherwood's) neighborhood, only a dozen people had met to choose a delegate? (Hear.) If the people were "groaning under oppression"

why had they taken it so very quietly? (Hear.) Many meetings had been sought for in Upper Canada, few however, had been held, and he believed the descriptions of their sufferings were carried in the brain of Hon. gentlemen opposite, simply that they might get to the Ministerial side of the House. A General election would tell. And for his part, he had no fear of the result. (Hear, hear.) Another election would be different from the last. He would not hear—he ventured to say—anything more about Representation by Population.

Hon. Mr. BROWN—Wait you. (Hear, and oh! oh!

Hon. Mr. SHERWOOD—Nothing more about the "No Popery" cry. (Hear.) The *Globe* would not be sent into the constituencies to stigmatize the clergy of one denomination.

Hon. Mr. BROWN—You will see. (Hear, and oh! oh!)

Hon. Mr. SHERWOOD—The Protestant horse will be stabled, and, instead, they would hear of the Dissolution of the Union. (Hear.) Previous to the Convention, the Hon. member for Toronto had advocated dissolution for weeks and months, yet, at that meeting, he cried out very little about Lower Canada Administration, but buried everything that had been said for six months past, and, to cover the sharp turn he made, suggested a Federal Union, with "some joint authority." His arguments in favor of continuing a Union were conclusive—they were, in fact, borrowed from his (Mr. Sherwood's) side of the House—and the Convention went with him. It was plain, Union or Dissolution would very likely be the cry, and he would have no fear for the issue. (Hear.)

Hon. Mr. BROWN—The Hon. Receiver General had said that when he [Mr. Brown] had formed his Ministry, he knew the Governor General would not give a dissolution.

Hon. Mr. SHERWOOD—No, he had said that the Governor General would not promise to grant it.

Hon. Mr. BROWN would read His Excellency's own words from the despatch, in which he stated that he could not promise the new Administration a dissolution;—when the advice was ordered, he would make up his mind according to the then circumstances.

Mr. HEBERT did not expect, after so much able speaking, to throw much light on the subject, yet he deemed it necessary to give reasons for the course he had decided to take. In 1858, he was elected by the Opposition, and he had voted with them until the Brown-Dorion Administration was formed. It then became apparent that no Lower Canadian could support them until they were informed of their intentions with regard to the Seigneurial Tenure, which was the great absorbing topic in this section of the Province. Well that Administration had agreed to settle the question, and had also given the Lower Canadian members to understand the way in which it would be done. They, however, did not retain power, and their successors had accomplished the task very much in the

way the in which the short Administration had promised to do; what was then his surprise to hear in his county, last year, that the Hon. senior member for Toronto denied having ever come under such an engagement. These statements had placed him and other Lower Canadian members, who had given their support to the Brown-Dorion Administration, in a false position, for although his county was not directly affected by the law; yet it contained many persons who were interested in it. These denials of the Hon. member [Brown] had produced a considerable effect in Megantic and elsewhere. He would now endeavour to give his view of the reasons that had induced a ministry from Upper Canada to support the Bill for the abolition of Seigneurial Tenure, for he verily believed that, but for these reasons, several years would have expired before the present government could have secured the assent of even so many of those members. By undertaking to settle that question, the Brown-Dorion Government, gave their opponents from Upper Canada a good opportunity of assent, for they could and did tell them that they themselves had intended to deal with it in the same way. During this debate, the Upper Canada Opposition had strenuously insisted upon the necessity of a double majority, and there seemed to be a disposition now to maintain the principle, but if he did not mistake when it was proposed to affirm it as a rule, only 10 had voted for it, and 36 against. Under these circumstances, he thought there was reason to doubt their sincerity to day. Then how had they acted on the Usury question? They knew that, almost to a man, the Lower Canadians were opposed to the repeal of the law, and they might have restricted the operation of the bill to their own section, [Hear, hear] but, no—they insisted upon making it apply to the whole Province. He had not much experience in Parliament, but it seemed to him that the motion of want of confidence was ill-advised and unreasonable. He did not say he had very great confidence in the present Administration, but he would rather entrust them with the carrying out of the Subsidy bill, in favour of the Canadian Line of Steamers, than with the gentlemen on his own side, for he feared there would be delays which would be fatal to it. Then, again, with respect to that very measure, he believed many of the Opposition admitted its necessity, and personally desired its passage, but they were willing to risk its loss, which would be a great one to this country, if they only could defeat the Government. For these reasons, then, he could not support the original motion, and would vote for the Government. [Hear, hear] Mr. LANGEVIN commenced by alluding to the debates which had taken place in a former Session, on the double majority doctrine, and read from the journals the division on the vote, intending thereby to show that it had been negatived by Upper Canada. Then as to the motion of want of confidence, it was out of place, in fact it was a false step. It commenced by affirming what everybody knew, that there was an

Upper Canada majority against the Ministry, but the real question to consider, was—whether the Ministry had acted for the good of the country. Had they produced such measures as the Country required? He believed they had produced many such, and he had judged them by their measures. When they were good he had supported them with zeal, and when he could not approve of them he had opposed them. He had acted from his convictions, and would continue to do so. On the Seat of Government he had voted against them, and but for the votes of several members of the Opposition, on that question, they would have been defeated, for their majority was only five. To day the Opposition returned to the principle of the double majority, and, in harmony with that doctrine, they proposed this vote of want of confidence. But how could they expect to be supported, when they themselves had formerly renounced it?

Hon. Mr. DORION—You have convinced them that you were right.

Mr. LANGEVIN—It was desirable that the Administration should have a majority in each section of this Province, but if the Opposition required us to choose between working with an Upper Canada majority, and a Lower Canada minority, and an Upper Canada minority, and a Lower Canada majority, they should not blame us if we choose the latter. And he would say, that while the Upper Canada majority continued to acknowledge the Hon. member for Toronto as their leader, the Lower Canadians had no choice, but to regret their alliance. To-day, some of these gentlemen were contending with great zeal for the principle of the double-majority, but how? Oh, they wanted it in respect of their own section of the Province, just for the occasion, because it would serve their purpose, but let them be asked to put it on record, and to establish it as a constitutional rule, which might work against them on a future day, and they would at once say no. He would not say that his Hon. friend (Mr. Dorion) would have continued in a Government which did not possess the confidence of both sections, for he was bound to accept his denegation, nor would he say that the Hon. members for Cornwall and Waterloo would, but he did say, that a large majority of that side of the House, who adhered to the senior member for Toronto, would support a Ministry that did not, for that Hon. gentleman had always voted against the double-majority.

Hon. J. S. McDONALD—That Hon. member had voted for that principle.

Hon. Mr. FOLEY—It was only fair to say that if that Hon. member were present, he would say he had not (hear, hear.)

Mr. LANGEVIN—The Address moved by the Hon. member for Cornwall, on this subject, did not recognize the double-majority. It simply stated that the Ministry should faithfully represent the wants and wishes of each section of the Province, and if the double-majority had been clearly recognized in it, the Hon. member for Toronto would never have voted for it. The resolution was, in fact, couched in language in-

tended to catch the vote of the member for Toronto. And knowing this, how could the mover of the vote of Want of Confidence, expect the Lower Canadians to vote for it. Was it not clear, that if that Hon. member succeeded in grasping the reins of Government, he would govern with an Upper Canada majority, if he could not secure one from Lower Canada?

Hon. J. S. McDONALD—How many members were there in the ministerial benches, who would go for the double-majority?

Mr. LANGEVIN—That was not in question, but the real question was, whether the Upper Canadians would adopt the double-majority as a constitutional rule. He regretted the political position, but the fault was not with Lower Canada, and if the fight was to be between Upper Canada and Lower Canada, as the *Globe* recently announced, then it would be for the Lower Canadians, as one man, to unite in defence of their rights. Was it not known that the party of that Hon. member wanted to deprive the Roman Catholics of their Separate Schools, and compel them to send their children to mixed schools, where they said they would be well educated, where their religion would not be interfered with, and where, in fact, they would be taught no religion at all, in other words, where they would learn to become infidels. This did not answer the Lower Canadians. Then they told us that they did not approve of our religious houses, and that we had too many of them, yet, in private, they highly approved of those institutions, and said we were a happy people to have them. The ex-member for Haldimand, when in Quebec, sick, knew where he would be well taken care of, and got himself taken to a nunnery. Were those Hon. members prepared to do Lower Canada justice on the Seigniorial Tenure question, and give us back an instalment of the money they had got for their Public Works? Oh no, they united a close phalanx to defeat the measure, and on Re-Representation by Population, they had also united in the same way against us, knowing that if they could but pass such a vote, they would have us in their power. With men of such principles, it was clear, the Lower Canadians could form no alliance, and therefore, he was prepared to vote against the amendment, affirming the double-majority, and for the motion of the Hon. member for Beauharnois, affirming confidence in the Ministry, for though he could not approve of all their acts, yet, if they had brought twice as many objectionable ones as they had, he would prefer their rule to that of a declared enemy of their institutions and interests.

Major CAMPBELL said he was not in the House last night, when the Hon. member for North York made his speech, but from all he had heard, he did not think it would bear the construction put upon it by the Hon. member for South Ontario. He regretted to learn, that it was marked by that spirit of personality, of which he was sorry to say, there was, in that House, too much. (Hear, hear.) He (Mr. Campbell) could only recommend the Hon. gentleman to

follow the example of the Hon. member for South Ontario. His speech had been free from all personality, and he had confined himself to the strict argument of the case before him. With a great deal of what fell from that Hon. gentleman, he perfectly agreed. He also agreed with a great deal of what had fallen from his Hon. friend beside him. He believed the double-majority was a sound principle, and he would gladly see it carried out. But it was a different thing to say this, and to reduce it to a resolution, because, in the latter case, they might make Government impossible. It was for this reason that he had never voted for the motions of the Hon. members for Cornwall and Montmorenci. When the Hon. member was asked how he would remedy the present state of things, he replied that he would do it by an Address to the Crown. Now he (Mr. Campbell) thought there was another remedy, and that the Hon. member from Toronto had that remedy in his hands. From all that had fallen from those around him (Mr. Campbell) the Hon. member for Toronto must be well aware of the feelings of his Hon. friends. There was no person who admired, more than he did, the talents, the energy, and the perseverance of the Hon. member for Toronto, and therefore, in what he was going to say, the Hon. gentleman would understand it was not said in any spirit of ill feeling, or from a desire to injure him. The Hon. gentleman had heard what had fallen from those around him, and he asked him if he could, for one moment, be surprised at the expression of such sentiments, after the constant insults which he had heaped upon the most cherished institutions of the French Canadians; for there was no other race of people in the world who were more attached to their religion, their language, or their habits, than they. The Hon. gentleman would remember an Hon. member who usually voted on his side of the House, saying, he was ready to spill his blood in defence of them. This was only the expression of one, but it was the feeling of all. Then the Hon. gentleman could not be surprised, if the French Canadians felt deeply the insults which he had cast upon them. The Hon. gentleman had not cast insult on his (Mr. Campbell's) religion, or on his race, and therefore he did not entertain the deep feeling of insult of his French Canadian friends. But there was another point on which his (Mr. Campbell's) friends were united, and that was, on the want of judgment of the Hon. member for Toronto, which, they believed, would render it unwise of them to place him at the head of affairs. He (Mr. Campbell) lamented this, because, as he had said, he had admired the Hon. gentleman's talents, energy, and perseverance, and he believed, in consequence of the absence of this quality, the country was deprived of the services of one who would be a valuable servant. (Hear, hear.) He would now state in what way he thought the Hon. gentleman could remedy the present state of things. Let him act the part of a true patriot. Let him make this sacrifice:— Let him for a while, retire from the position he

held, and let others who had the interests of Upper Canada as much at heart as he had, take his position. That there were others who had the interests of Upper Canada as much at heart as himself, he could not deny. There was the Hon. gentleman on his right, the Hon. member for Waterloo, and the Hon. gentleman on his left, the member for North Waterloo, both of whom had the confidence of the people of Upper Canada, and to whom there was not the same objection as to himself. Do let the Hon. gentleman show the spirit of a true patriot, and give the remedy he had pointed out. Let not the Hon. gentleman think, that he or his friends would hereafter speak of the act in a spirit of triumph, but he would say the Hon. gentleman had shown himself to be, what he really wished to be considered, a true patriot. When he [Mr. Campbell] first addressed the House, two years ago, he stated the principles upon which he should act in reference to motions of this character. He declared that he would never vote for a motion of non-Confidence in the Administration, until he was satisfied that there was another set of men who could take their places. He had not changed the opinion he then entertained, and therefore, he should vote against the motion of the Hon. member for North Waterloo. One word now to the Administration. He did not mean to follow the example of the Hon. member for North Waterloo, by entering into a detailed statement of their good and bad deeds. But he could not help saying, that he objected to the salaried servant of a large corporation being a member of the Cabinet. It acted in two ways. It acted against the interests of the country, and against the interests of the Corporation. The enormous patronage of that Corporation might be applied to political purposes, and this did injury to the Corporation itself, because it gave a party complexion to what was a purely national undertaking. Again, he could not help objecting to Solicitors-General being made members of the Cabinet. He even went further. He objected to seeing Solicitors-General in the House. He thought if they were allowed seats in the House, they might, with as much propriety, require the Deputy Postmaster-General, the Deputy Receiver-General, or the Deputy Inspector-General, to have seats in the House also. His opinion was, that it was not a sound principle, to allow any but the Heads of Departments to be members of the Cabinet, and members of the House.

Hon. Mr. CAUCHON said the law provided for the Solicitors-General having seats in the Cabinet.

Major CAMPBELL said he did not doubt it was legal. What he objected to was the principle.

Hon. Mr. BROWN said, the Hon. gentleman had appealed to his patriotism, and asked him to retire from his position, to make room—for what? The Hon. gentleman asked him to make a sacrifice. What was the Hon. gentleman prepared to do for his part?

Major CAMPBELL—Anything you like.

Hon. Mr. BROWN—Then I ask you, are you prepared to grant the principles of the gentlemen whom I represent here?

Major CAMPBELL—What are they. ("Hear, hear," and laughter.)

Hon. Mr. BROWN—So, the Hon. gentleman asks what they are. Will the Hon. gentleman grant even the principle of Representation by Population? Is he prepared to give Upper Canada the control of her own affairs? Is the Hon. gentleman prepared to grant to Upper Canada, protection from the position in which she has been placed of late years by the complete domination of Lower Canada, by allowing of the formation of a Ministry which shall have the confidence of both sections of the Province? Is the Hon. gentleman prepared to do this?

Major CAMPBELL—I have answered you.

Hon. Mr. BROWN said he wanted to know if he accepted the proposal of the Hon. gentleman—if he went on to the cross-benches, aye, or even left the House—that he would turn out those gentlemen in the Cabinet who represented Upper Canada, and put in his friends? The Hon. member for Maskinongé, was the first to attack him in this way. Said the Hon. gentleman, "the Hon. member for Toronto is in our way." The thing was altogether without foundation. He (Mr. Brown) stood forward in Quebec for the rights of the people of Upper Canada, when he had not the support of such a phalanx of Upper Canada's representatives, as he had at present—he had stood alone, almost, in defence of his countrymen, against such treatment and such language, as no man ever received in any Legislative body. Had Upper Canadians had nothing to complain of in the way of insult? The Hon. gentleman spoke of patriotism and good faith, and yet when he asked him whether, if he (Mr. Brown) surrendered his position, he would concede to Upper Canada her rights, and place his friends in the position which they should occupy. He shrank from giving a fair answer.

Major CAMPBELL—I cannot answer for the party. I can only answer for myself, and that I have done.

Hon. Mr. BROWN asked how the Hon. gentleman, then, dared to make the assertion he had done? Did he suppose, that he (Mr. Brown) would surrender his position on such a demand, supported as he was by such a large party—a party which had gone on increasing year by year—and risk the breaking up of his party? He wished the Hon. gentleman to understand that he had no personal feeling in the matter. He was in the hands of his party, and that they might have the opportunity of choosing another leader if they thought fit, he might inform the Hon. gentleman that his resignation was now in their hands. It had been said by the Press and others that, if he were out of the way, his party would be in the Government in three days. He had allowed his party to judge of that. He had told them he held his present position without his will; he had told them it was his desire to retire into private life, and that he was in his present position simply to carry out the views

of his countrymen. Yet, Hon. gentlemen got up in that House and taunted him with holding his position against the will of his supporters. His patriotism would never be found wanting in what concerned the interests of Upper Canada; no personal object of his own should ever stand in the way of the interests of his country. He wished it, now, to be distinctly understood, that his Hon. friend, when he moved the resolution, did not intend to move a general vote of want of confidence, for they could know the result of that before hand. The object was to show that the ordinary rule in constitutional Government had been entirely set aside, which was that the majority should prevail—to shew that in Upper Canada the minority ruled, and that, in the matter of local appointments, Hon. members might have an opportunity of shewing appointments had been made, that Commissions of the Peace had been issued, which might be considered as insults to the people, and that the magistracy has been given as the price of support in political matters. (Hear.) Ministers knew, however, that they could meet the issue so, but they set up a supporter of theirs to move an amendment, in order to bring up the general question. (Hear) Hear the speeches delivered by their strongest supporters—they were full of "ifs" and "buts." Even the Hon. member for Maskinongé, had had a dozen "buts," and two of them were the village of Freemont and the Grand Trunk Railway contract. (Hear.)

Mr. TURCOTTE—They are very good "buts," too.

Hon. Mr. BROWN—The Government held the rod over their supporters, too, saying that, if turned out, they would send them to their constituents, and all these fine things, those promises of money from the public chest, which were fandangled before the eyes of their expectant supporters, would of course disappear. Did Ministers suppose the gentlemen behind him would change principles, if he [Mr. Brown] were away? Not a bit! Let them rather confess, at once, that the Union would not work. (Hear.) Let not people cry out that they believed in Double Majority, and, when the time came for putting it into practice, shrink back from the fear that it would put out people they liked, and put in people they did not like. (Hear.) But what must Hon. gentlemen on the Treasury Benches say when they heard such speeches from their supporters? He (Mr. Brown) thought that, if there was one man in Canada he really pitied, it was the Attorney General West, and he had not the slightest desire to take his place.

Hon. J. A. MACDONALD—The Hon. gentleman did cross the House in 1858.

Hon. Mr. BROWN—The Hon. gentleman would admit that it was not at his (Mr. Brown's) desire, but from the force of circumstances. (Hear.) But how humiliating was the position of the Attorney General West, who was ruling an adverse majority of his own countrymen in the favor of the member for Vercheres. (Hear.) He did not believe that Hon. gentleman sat there

because he was the richer or the happier for it, but simply because he did not like to say he was beaten. (Hear.)

A VOICE—No surrender.

Hon. Mr. BROWN—That was just it. Now, in regard to the motions. It was unquestionable that Upper Canada was, at present, in a most humiliating position, and was determined to find a remedy, and to seek it in the shortest and firmest way possible. He believed in a different remedy from some of his colleagues—he had lost the hope he once had of obtaining the remedy he once believed in. He had made an advance from his firm position, and would take an occasion of showing it when he produced his amendments. (Hear.) Could Hon. gentlemen on the Treasury Benches assert that they possessed the confidence of the majority from Upper Canada?

A VOICE—Yes.

Hon. Mr. BROWN—Out of the whole 65, the most they could claim was 26, 5 or 6 of whom were rather Opposition than Ministerial. Why, with regard to his friend Mr. Morrison, they could not find a single one of their supporters in the House whom they could make Solicitor General, and who could be returned, so they chose a man for whom they could not find a seat until the Fall, if then, and for whom not one of their supporters would retire. (Hear.) They dared not introduce Upper Canada measures themselves; they were found at the hands of the Opposition. He would not proceed to express his views fully at the present time, but take another occasion of addressing the House. [Hear.]

Hon. ATTORNEY GENERAL WEST said, the Hon. member for Rouville had actually admitted that the Hon. member for Toronto had better retire; for the good of the country, for the sake of Upper Canada, for the sake of Lower Canada—for every consideration he was implored to retire, and would not do so. But the Hon. member for Toronto had just stated that he was quite ready to retire—that he had been anxious to retire—but he stood there as the head of a great party, chosen by them to enunciate their principles. The Hon. gentleman had promised at a future time to show the true remedy for all the evils of the country—the great quack nostrum that would cure all that was found fault with. He was to shew us these things in a few days, and then abandon his great position, and even return to private life, if he could only get the Hon. member for Rouville to support Representation by Population. The truth of the matter was that, that the Hon. member for Toronto did not like everything to be known that he knew himself. No one knew better than he [Mr. Brown] himself that his party was at the present moment breaking up. [No! no!] No one knew better than he [Mr. Brown] that the Hon. members around and beside him, while they feared him did not love him. No one knew better than he that they would like to remove him but dared not face him. If the Hon. member took his [Hon. Atty.

General's] advice he would keep his party where they were. By his superior will—by his superior ability he wielded them as he wished; he held the lash over them, and though the viper might bite against the file, the viper got the worst of it. [Hear. hear.] The Hon. gentleman was the Louis Napoleon of his party, but he had an Austrian Army. (Laughter.) They could not be called an army—they were a crowd, artless and unarmed, clamoring and loud. There was the Italian portion of it, and there was the Hungarian portion of it—a hungry troop—[laughter]—they also were disaffected. His Hon. friend from Cornwall could hardly be called a sub-commander—he aspired to be an ally, but he would not say he was a Garibaldi. (Laughter.) The Hon. member for Toronto had always opposed the Double Majority; but he (Hon. Atty. Gen.) would inform him that the Hon. member for Cornwall had been a supporter of Double Majority before he (Mr. Brown) came into the House and had claimed him (Mr. Brown) as an advocate of it, and quoted his journal to that effect.

Mr. BROWN—I endorse the opinion of the Hon. Attorney General West.

Hon. ATTORNEY GENERAL WEST said, the ability of the Hon. member for Toronto, was undoubted, and when he had his concurrence in his resolution of 1856, he felt additionally strengthened in the position he had taken in his interpretation of the British Constitution, as practised, and understood in Great Britain and Ireland. The question before the House, was two-fold. The first relating to the double majority, and the second to the confidence of the country in the Administration. His [the Attorney General's] views on the double majority, had been clearly announced in the resolution, of which so much had been said. The question had been fully discussed, with much moderation and courtesy. He took it for granted that the Hon. member for North Waterloo, in calling upon the House to declare the want of confidence of the people, in the Administration, admitted that the House did truly represent the people of Canada—otherwise the Bill was valueless. He [Attorney General,] was of opinion that the House represented fairly the opinion of the people, at the time of the election. But it was quite clear, that the Hon. member for Toronto, having changed his platform and his faith, the Hon. member for South Oxford would have to change too. The Hon. member for Toronto, when he went to last election, had the greatest influence in Upper Canada, by virtue of his newspaper, and raised many cries, which were in some degree successful; he [Mr. Brown] had appealed to the local prejudices, and feelings; he raised the feelings by telling the people that being superior in numbers, and more wealthy, and contributing more to the public revenue, the people of Upper Canada ought to have a majority in the House, over the people of Lower Canada; they ought to have more power in Government. Then he got up a Protestant cry, about the danger of priests and

priesthood; that cry had a great effect. This was carried to such an extent that his [Hon. Attorney General's] Honorable and Orange friend, the member for North Leeds and Grenville, although an Orangeman, wearing scarlet, and a Grand-Master, was actually defeated in the County of North Ontario, because supposed to be in league with the Pope. [Laughter] It was by such means as these, that the Hon. member for Toronto did obtain the defeat of many of his [Attorney General's] friends, but they had no reason to be ashamed of their defeat, in the midst of that unholy excitement---a war of religion raised for political purposes---they chose rather to suffer defeat, and retire into private life, than to secure their election, as they could have done if they had chosen, by means that the opposite party did not scruple to employ---they chose rather to sustain defeat, than to lose their position as a Government holding an even balance between all parties, and all sections of the Province. It was true that in consequence of the Government holding that even balance, they could not excite them; moderation was not an enthusiastic quality. It required an enthusiastic mind, and a position in which that enthusiasm could be exercised without danger. The Hon. member for Toronto, when his feelings were roused at that time, was quite irresponsible to the country; he was pushing his way and his party's way, and he could adopt cries for a time, and drop them when it served his purpose. The Government did not do so, and suffered for the time in consequence; but they had their full reward afterwards, for the moderation of their course. Why, the Hon. member for Toronto had not been in office two minutes, before he abandoned all those cries. The Hon. member for Montreal, who sits next to him, known to have had political connection with him, in and out of Parliament---he [Mr. Brown] knew he could not approach him, or go to Lower Canada unless he [Mr. Brown] renounced and sacrificed everything he had used to raise himself to office. We have heard nothing about Representation by Population, nor about Separate Schools, since that time. Indeed we had heard nothing of any of the cries, by which he had placed himself in a position of power. Notwithstanding his [Mr. Brown's] personal disinterestedness, yet, to get into power, he was willing to abandon all his principles, and hand his whole political conscience over to the Hon. member for Montreal, to do what he liked with. [Hear, hear.] How often did we hear people remark, what a change has come over the *Globe*, where were the *scarlet lady* stories, and the abduction cases, and the columns on Mortara difficulties? What had become of these exciting topics? [Laughter.]

Mr. MCGEE---You are sorry for the change, and for the cessation of religious warfare.

Hon. ATTORNEY GENERAL WEST had certainly never roused or excited that warfare, either on reason or religion, but he did not think the Hon. member for Toronto could say the same. Could the people of Lower Canada,

forget the insults they had received? Could they forget how their religion, their race, their country, their climate---everything they held dear, had been derided and ridiculed by the Hon. member for Toronto? [Hear, hear] He did effect a temporary defeat by those cries, but the Government held a position, which they did not hold before. [Hear, hear] It might be vain to prophesy, as to future elections, but he believed the sober second thought, was against the Hon. member for Toronto, and in favour of the Government.

Hon. Mr. BROWN---Why don't you dissolve and try it?

Hon. ATTY. GEN. WEST---There was nothing in the world the Hon. member would dislike more, or was so much afraid of. Not that he feared for a re-election---his ability would secure him that---but the Hon. member knew well that the rank and file of the Austrian army would be scattered far and wide, and foot, horse and artillery would find a common Solferino in the next election. (Laughter.) They had no principle of cohesion at present; the Hon. member for Cornwall was of one view, and the Hon. member for Waterloo was of another, and all were disagreeing among themselves.

Hon. Mr. FOLEY---You need not be alarmed about our differences, but look to your own.

Hon. ATTY. GEN. WEST said they had no differences; if there was ever a Government that was united, it was the present one. [Hear, hear.] Of course, no Government ought to expect slavish obedience or servility of its supporters. Again and again, he had himself been prepared to vote against his own party. But, as a body, the present Government was as united in principles and actions as a Government well could be. But the Opposition had quarrelled among themselves and were broken up.

Hon. Mr. BROWN---There never was a greater mistake.

Hon. ATTY. GEN. WEST said there must have been a Union then since one o'clock. (Laughter.) They had to unite once a day to keep together at all. (Laughter.) Everybody admitted this morning that they had broken up.

Hon. Mr. FOLEY---Oh, you only dreamed that last night.

Hon. ATTY. GEN. WEST---Then he had a second sight this morning to confirm his dream. (Laughter.) But, while the Opposition was divided into at least two or three separate parties, he (Hon. Atty. Gen.) at that moment stood at the head of the largest party in the House, coming from Upper Canada. (Hear, hear.) The Hon. member for Toronto was at the head of a party who thought the only remedy for existing evils, was the separation of Canada into several Provinces. The Hon. member for Cornwall was in favor of preserving the Union, and in like manner they differed on all important points. The Government was unanimous in principle, and possessed the confidence of a large majority, taking both Houses of the Legislature together. In some respects it would be advantageous to unite both sections of the Pro-

vince on general matters, but the effect would be demoralizing. Constant sacrifices would be required on both sides, and the result would be to destroy everything like political principle in public men. The same principle was advocated by the Hon. member for Toronto in a speech of April 13th, 1858; and the same opinion had been expressed in the Congress at Toronto, and set forth in their manifesto. The member for North York had stated that the double majority was only wanted until Representation by Population could be got; and great was the dismay of the Hon. member for Toronto on hearing the announcement. There was no doubt that that Hon. gentleman would vote for Representation by Population on the present occasion—in order that he might secure for Upper Canada a majority over Lower Canada, and, then, no matter how bitterly opposed to the principle the people of Lower Canada might be. It was said that Upper Canada was ground down by Lower Canada—that repugnant laws were forced upon her by Lower Canada, and heavy burthens laid upon her by Lower Canadian votes. But when the Hon. gentlemen, who so fluently made those charges, were asked to point out a single instance in support of their allegation, they could not do so. They were mere empty statements—without the slightest foundation. The people of Lower Canada had no desire to domineer over the people of Upper Canada—or to impose upon them. But could the same be said on the part of the Upper Canadian members? Could the Hon. member for Toronto say that he did not interfere with every Lower Canadian measure that came up, if it did not agree with his line of policy? That he had interfered in the matter of the Nunneries and Educational Institute. He would force upon the people of Lower Canada, his views, no matter what they were, whether they were right or wrong. It was a strange thing that, although the principle of the double majority was recognized by the Hon. gentlemen on the other side of the House, yet the Hon. member for Montreal (Mr. Dorion) was content to take his seat in the Brown-Dorion Government with only six members from Lower Canada at his back. (Hear, hear.) This could not be denied; for on the very day on which that Hon. gentleman was sworn in, a vote of want of confidence was taken in the Government of which he was a member, and out of the entire number of Lower Canadian members in the House, only six voted for the Hon. gentleman, while forty-four voted against him. And yet this was the Hon. gentleman who would not wish to see one section of the Province governed by another! This Hon. gentleman was actually handing over Lower Canada to the tenders mercies of the Hon. member for Toronto, and his followers. Of course there were to be compromises between the gentlemen of that administration (the Brown-Dorion). The Hon. member for Toronto was to

abandon all his pledges, as the member for Montreal had abandoned his. But there was no doubt that the Hon. member for Toronto would have forced the Hon. member for Montreal to deliver up Lower Canada to Upper Canada. This was the double majority. (Hear.) This is the manner in which it was proposed by the gentlemen at present occupying the Opposition benches, to carry out the principles of the double majority. (Hear, hear.) As to the statement so often quoted in the House that he (Mr. McDonald) advocated the double majority system, he desired to say a few words. The statement was quoted from a manifesto, and was to the following effect:—"Resolved, that, while the principle of the double majority is not recognized by the Constitution, it is the opinion of this House that any continuous systematic Government of one section if the Province in direct opposition to the express wishes of that section, would be fraught with danger to the well-being of the Province." Where the Hon. gentleman (Mr. McDougall) got it, he (Mr. McDonald) did not know. Nor did he wish to accuse the Hon. gentleman of garbling his words, but he (Mr. McDonald) thought that the only way in which he could have got the statement was by copying the resolution of the Hon. member for Portneuf.

Mr. McDOUGALL explained that he did not do so.

Attorney General McDONALD went on to point out that a material difference, in meaning attached to Legislation and Government when used in different relations. There was England, Ireland, and Scotland in which the Double Majority did not obtain—but yet, as a general thing, Ireland was governed as she wished, and Scotland was governed as she wished. A ground of complaint was that Lower Canada got all the money and forced a tariff on Upper Canada that she did not wish. Were these accusations true? Had they been supported by proof? It was his (Mr. McDonald's) belief that legislation by one section of the Province against the other section, would create a deal of uneasiness. He believed that one section of the Province should not force its legislation on the other section. The Double Majority that he was said to uphold was one section of the Province forcing its legislation upon the other. But he felt sure that one section of the Province forced its legislation on the other section. While it was true that the Government of the day should possess the majority of the whole House—the wishes of each section of the Province should be attended to. This was his opinion; it went no further. And he felt annoyed at being made to say that the Government should be upheld by the Double Majority system—whereas the truth was just as he had stated it. He had been wronged by those who stated that he was in favor of the Double

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 23, 1860.

THE NON-CONFIDENCE MOTION.

(Concluded from our last No.)

Majority system. As to the second part of the Hon. gentleman's resolutions. He (Mr. Macdonald) must say that this was the first time that the doctrine was advanced that the patronage of the Crown was dispensed by the representatives of the people. This was one of the privileges of the Ministers of the Crown, and those Ministers always took the best advice that could be had before they dispensed any patronage. But at the same time they were responsible for their own actions. The only real question was,—were the appointments made by the Government, proper appointments, or not? Several appointments had been mentioned in the course of the evening—such as those of Mr. Spence, and Mr. Morrison. Well it was not said that those appointments were bad. On the contrary those gentlemen were said to be well able to fill the situations to which they had been chosen. The only charge that was advanced against them was that they did not belong to the policy of the Opposition. And no matter how able a man was, or how much he was required, was it to be the rule that he must not be appointed because he did not belong to a particular shade of party. This was exactly the principle that obtained in the United States, and dreadful were the results it had caused there. It was only by putting the right man into the right place that the country, could ever be well served. This was the principle he always adopted. It was the principle he would adopt. And long might it be before the pernicious principle of the United States—to turn a man out of office, because he was not of a particular party,—was adopted in this country. Not a single appointment made by the Ministry, was said to be bad. No one would think of calling in question the appointments of Messrs.

Stephen Richards, Miles O'Reilly, and J. H. Cameron to be Crown prosecutors. They were acknowledged to be men of ability and integrity. And on a recent occasion the Crown had nominated Mr. Wilson to be Crown Prosecutor. The Government did so because they felt that they should always try and procure the best men they could—and Mr. Wilson was an able Lawyer. And yet this was made a charge against the Government. It was not the first time that he [Mr. McDonald] was charged with dishonest and uncharitable motives, by members from the other side of the House, and he appealed to Mr. Wilson to say whether he did not on that occasion, afford him every facility to discharge the duties of his trust properly. Yet he was proud to say, that, up to the present moment, there was not a single charge of a bad appointment made against him. In making those appointments he had followed the example of Sir Robert Peel in England, who had appointed an Earl to the Bench, although he was a notorious whig. In England appointments were not made from party views. The best man was chosen—and the same rule was followed here. The Commissioner of the peace appointed under the present Administration, were equal to any ev made before [Hear,hear.] On every charge made against the Government, there was a failure. There were no bad appointments. It was true that he [Mr. McD.] did not approve of all the present appointments, as, to such offices as were not well paid, he had to appoint the best men that offered themselves. The Government had the majority in the House; and that member of Upper Canada, who supported the Government, might be said to truly represent the feelings of the people of Upper Canada. He would now say something as to the speech of the Hon. member for North York. Every consideration should be given, to a young member, but he should not forget that he was a young member; he should not take the position of leader, while he was only a learner. [Hear.] He had made himself disagreeable in every possible way.—[Hear.] He [the Attorney-General] had known

that gentleman for some time, and had never come into collision with him before, yet, he poured forth the vials of his wrath in language of which his Hon. friend, the member for Renfrew, did not speak too strongly, when he characterised it as exceedingly coarse. He (Mr. Wilson) said Ministers had committed perjury, charged them with all the crimes in the calendar, and said they ought to be put in gaol, or said, at least, that the member for Quebec (whose case was yet under trial, and no man should be judged before being found guilty) had committed the same crime, for which another man was in gaol. (Hear.) Then he entered at some length into the constitutionality of the law, and did it in most labored style, promising to explain, which he did not, the difference between what was legal and what was constitutional. He stated that the conduct of the Ministry was legal, but not constitutional, but he forgot that the two—the only two competent tribunals to decide these questions—had given their opinions. The courts of law had decided that it was legal, and the House, the only tribunal as to what was constitutional, had affirmed it to be so. (Hear, hear.) Perhaps the Hon. gentleman had expressed his opinion as a lawyer, when he made the statement, and if so, the judges had pronounced against it. The Hon. gentleman had conducted the prosecution against ministers, and whether, like the respectable firm of Dodson & Fogg, he went shares with the common informer, he (the Atty. Gen.) did not know. At all events, he had brought the action in the name of a pauper—the five actions, for £5,000—that he might try the great constitutional question out of their (the Ministers') pockets. (Hear.) To be just, the Hon. gentleman ought to put his hand into his purse, or else into that of his party, and reimburse ministers for the expense he had put them to. (Hear.) The Hon. member for Toronto said, he pitied the Attorney-General West, for ruling his part of the country by the aid of his colleague, the Attorney-General East. Why did he not extend his pity a little, and take in the member for Montreal, who sat beside him, who had attempted to govern the country with five followers.—(Hear.) Five officers amongst six soldiers! (Laughter.) But even the five were dropping away, and ere long, the member for Montreal would be left like the last rose of summer, blooming alone. (Hear.) The Hon. member for Toronto professed great friendship for Mr. Morrison, and said that the Government were in such a humiliating position, because that gentleman had not a seat, and they could not find him one. He (Hon. Mr. Brown) had forgotten that he had appointed—not to the Solicitor-Generalship, (which was a subordinate position, and the holder of which, perhaps, ought not to be in the Cabinet,) but to the Department of Public Works, which was a most important one—Mr. Holton, who had just been defeated at the polls, in Montreal, the largest city in the Province, and who had no more chance of getting any seat than the man in the moon, and to whom there

was no constituency that could be offered.—(Hear.) As the Hon. gentleman was a friend of Mr. Morrison's, he would be delighted to know that Mr. M. had had several generous offers from his friends, and might have had a seat in this House at this moment.

Hon. Mr. BROWN and several members:—Where? Where?

Hon. J. A. MACDONALD said he would not, of course, violate confidence, and say where, but the Hon. gentleman knew right well that the Solicitor-General could get a seat.

A Voice.—In Upper Canada?

Hon. J. A. MACDONALD—Yes, in Upper Canada. And he would tell Hon. gentlemen the reason why Mr. Morrison still remained out; it was, that he was appointed just before the meeting of Parliament, and the Ministry did not wish to disfranchise.

Dr. CONNOR—Disfranchise a place by having him to represent it.

Hon. J. A. MACDONALD—The Hon. gentleman's wit was on a par with his independence—the Government did not wish to disfranchise any place, during the greater portion of what they believed would be a short session, by allowing an election to be carried on during the sitting of Parliament. (Hear, hear.) And now for the last part of the subject, that of the Vote of Want of Confidence. Of course they left that to the House. He was not going to praise the present Administration.

Hon. Mr. BROWN—His modesty prevents.

Hon. J. A. MACDONALD—But when they found that the only attack, in the House, upon the measures passed of late by the Government, had been made by the Hon. member for Leeds and Grenville, who generally supported the Administration, and that not a single one had been objected to by the country, by petition or otherwise, he might fairly say that a vote of Want of Confidence would not rest upon the past. (Hear.)—He forgot, there was one petition—that brought forward by the Hon. member for Cornwall, on the ground that the Ministry had cut down the Sheriff's fees too low. (Hear, and laughter.)

Hon. J. S. McDONALD—And that the Jurors were not properly selected.

Hon. J. A. MACDONALD believed that if there were one measure more than another which had given satisfaction in Upper Canada, it was the Jury Bill of the Postmaster General. (Hear, hear.) Since, however, as he was saying, not a single petition, with this exception, had been presented, for the repeal of any ministerial measure, he thought the Ministry need not fear the Want of Confidence issue, if based on the approval or disapproval of their Legislation since 1854. (Hear, hear.)

Hon. Mr. BROWN wished to say, with reference to the expressions quoted from his speech in 1858, which embodied the sentiments he then and still held, that he did not believe it possible to make the double majority system work as a constitutional rule. What he did think, however, was, that although it was wrong to lay

down an abstract rule, that the majority from Upper Canada must go with the majority from Lower Canada, that it was an exceedingly great evil—an evil which could scarcely be over-estimated—that one section of the Province should rule the other. (Hear.) Now, although it was not absolutely necessary that the double majority rule should be enforced, what was necessary was that every legitimate and constitutional means should be used of bringing the two sections of the Province into harmony, before forming a conclusion that it could not be done. If it did so happen that the two sections could not be brought into harmony, then either the ground must be taken which the Attorney General West held, who sat comfortably there, content to rule by the help of his colleague, or they must seek for some constitutional change. (Hear.) Now there had been no attempt made on the part of the ministers to bring the two sections into harmony—they went to the country, to do it, in 1857—but, failing, had kept their seats. He [Mr. Brown] thought the Premier from Lower Canada should have said to his colleague “you must find a majority from Upper Canada, for I cannot force my views on a hostile majority”—or else the Governor General should, with due regard to the working of constitutional affairs in the Province, have called on the Administration to bring the two sections into harmony. It might be impossible, for there were two nations, two creeds, and two systems in every thing, but every attempt should be made. He quite agreed with the Attorney General West's resolution, that there should be no systematic legislation in opposition to the wishes of either section—he would extend the principle, however, to administration as well. [Hear.]

Hon. J. S. McDONALD said he wished to express his views on the double majority principle. When he said it should be permanent, he meant to this extent. He had every confidence in the constitution they now had, that it could be worked out, until an assimilation of the laws could be effected. Then double majority would be no longer required. When such assimilation had been fairly carried out, and we were a united people, then we could dispense with it. He repeated as to the constitution, he was content with it. (Hear.)

Dr. CONNOR—The Hon. member admitted that the want of an Upper Canada majority supporting the ministry, was an inconvenience at any rate which was an admission of some importance. That Hon. member did not treat the Upper Canada Opposition very well, however, in leaving his seat so soon as he had said his say, it was as much as saying that they were unworthy of being heard. Referring to the Office of Solicitor General which had been given to Mr. Morrison, he had said he did not wish to disfranchise a constituency, in order to provide him a seat in the House, but that was a paltry excuse and quite destitute of force. The appointment of Mr. Holton without a seat, was no parallel, for Mr. Morrison had been beaten in

two constituencies, although he was at the time a Minister of the Crown. After being so beaten he was appointed to a lucrative office, and, forthwith, when a Solicitor General was wanted, they take him out of that office and appoint him. But the reason for the appointment was clear, it was to balance the parties in the Ministry, and so far it was an acknowledgement that the Double Majority principle was not entirely inoperative. There was no comparison between them, but Mr. Holton had actually beaten the Attorney General in his own City by 200 votes, and he was only elected in his old County by 36, and then he had to take advantage of all sorts of petty quibbles to retain his seat. He would now proceed to other points of the Hon. gentleman's speech, and with respect to the appointments he contended it was unseemly to have appointed Mr. Richards, the defeated candidate for South Oxford, and the Hon. Mr. Cameron, the defeated Candidate for Toronto, Crown prosecutors, fit as they were, for he acknowledged they were able men, before the election excitement was over. The Hon. member said they sought to make the best appointments, and he knew it was a very difficult thing at all times to make proper selections,—but whom did the Ministry consult when they made appointments? He knew that Hon. gentlemen would not seek the advice of members of the Opposition, and if he had said that, being Ministers of the Crown they took the responsibility, there would have been something manly about such a declaration, but no—they sought advice from men in whom the people had no confidence. That Hon. gentleman, however, had made an important admission, and he desired the members for Lower Canada to note it. Three Ministers of the Crown had spoken, and not one of them had denied the truth of the amendment proposed by his Hon. friend from Iberville. Was not their silence an admission that they could not contravene a word of it. The member for Megantic had said that, if the vote carried, it would put Ministers out, and endanger the Postal Subsidy. He would answer to that gentleman, and to others who had pursued the same line of argument, that though the members from Upper Canada, in the Opposition, had at one time seen great difficulties in working out the Government on the Double Majority, they might now see the necessity of it, and for one he was sincere in supporting it. Then as to the Steamship Subsidy, though he had voted against the Ministerial proposition, because inquiry had been refused, he would say that no member in the House was more desirous of supporting the line. Reverting to the position of the Hon. Attorney Gen. he, (Dr. Connor) insisted that it was one of which he could not but feel heartily ashamed. The member for Carleton had taunted him (Dr. Connor) with having been elected with a majority of one, but he had forgotten that three of the Cabinet Ministers had been driven ignominiously from the polls. Then Hon. gentlemen on the other side claimed, that if they had not the majority in the House they had in the Coun-

try, to which it was just sufficient to answer they had not. Objection had been taken to the language of the member for North York with respect to the Double Shuffie as it was called, but he (Dr. Connor) would say that language could not be too strong to characterize that most disgraceful and demoralizing of all acts ever perpetrated by a Canadian Administration. If the Atty. Gen. had said it was true they were in a minority, but it was an accident, there would have been some ingenuousness in the statement, but no he said the majority was gained by religious cries, and by the Hon. member for Toronto having mounted his high Protestant horse, but he would, on some future occasion, be able to show that the cries were on the other side. Well, he had held in his hand a bill issued by the Postmaster General, headed "Protestantism in danger!" This came from the colleague of the Attorney General's, one of the high priests of the Administration. (Hear, hear.)

Hon. J. A. MACDONALD—Why the *Globe* claimed the Hon. member (Sidney Smith) in consequence of these very placards. (Hear, hear.)

DR. CONNOR—It came well from the Attorney General West to claim a majority in Upper Canada upon some Will-O-the-Wisp calculations of the member for Leeds and Grenville, and to call up old party cries as the cause of his being in a minority in face of such posters. If that Hon. member thought that the Ministry were in a majority in Upper Canada, was it likely they would continue to occupy for a day the degrading position they did? They would not. Then that Hon. member had said the Opposition had abandoned Representation by Population, but it was not correct, for it was a reasonable principle, and he yet hoped the Lower Canadians would see it so. Then the Opposition were again taunted with having abandoned the question of Separate Schools, which he also denied, and Hon. gentlemen would have the opportunity of seeing that before long. The Hon. member for Rouville had told the Hon. member for Toronto that he was the stumbling block in the way of his party, and he (Dr. Connor) would say that the Opposition would be really despicable if they abandoned their Leader at the dictation of members on the other side. That gentleman could not be driven from his position by such means, and no one of his side of the House would accept the advice so given. Referring to the Convention, he said they were a body of most respectable men who came at their own expense, which was no small matter, and yet the Hon. member from Brockville undertook to sneer at them. Then it was said there was dissension in the Opposition, but it would be found to be much less than was presumed as it would appear in time. The country would stand by the principles of that Convention, and he denied that the exertions of the Opposition were not in view of Office, but in view of the wants and wishes of the Province.

MR. BENJAMIN said, he did not rise to assign any reason for the vote he was about to give, all knew full well what it would be before it was given. But he rose to point out the false position of gentlemen on the other side of the House, and originating such a measure. They had no right to come down to that House, and ask for a vote of a want of confidence in the Ministers. they were not in a position to do so. They had falsified their position before the country, and were no longer the honest exponents of the party they pretended to represent on the floor of that House. No one would deny, that the Opposition had more members in their ranks from Upper Canada, than were in the ranks of the Ministerialists; but he denied and so did those who were with him on this side of the House, that the Opposition represented the opinions and feelings of Upper Canada, and he dared them to go to the country on the platform they had adopted at the Convention. The feelings of the country were adverse to their conduct, and whenever the time came they would find themselves in that position. What right had they to come to the House and ask for a vote that would transfer them to the Treasury Benches? One of two things was obvious, either they were insincere in the present motion, or they were dishonest on the platform of the Convention. Their leader had given notice of a motion for the consideration of a subject which would lead to the entire change of the Constitution. Was it not then dishonest for them, on the eve of such a proposed radical change, that they should move in a motion that might result in transferring them to the Treasury Benches? If they were honest in asking a change in the Constitution, then they should be ashamed to ask for and seek power under the present system. If they still respected the present system, then they were wrong in deceiving the community with this show of the majority, for a change. But the truth of the matter was that all they sought was office and power, and if they once succeeded in gaining possession of the Treasury Benches they would hear no more about Federation, Constitutional change, Representation by Population, and all other schemes afloat. These would be as easily thrown off and abandoned, as other planks of their platform had been. He, therefore asked the House if, upon this point, he was not right in denying to the Opposition the right of moving in a question, such as was then under consideration. They, the Opposition, pretend to tell this House, that they represent the feeling of Upper Canada, that they are united upon all matters; was the public not well informed of the fact, that they were divided? Where were the members of the Opposition when the Convention was held? But few of them were present. Where were they when this voluntary meeting, of what is designated the great Reform party, was held? They were absent. They found, upon referring to the records of that Convention, that out of ninety-two committee-men chosen, there were only three members from the

Honorable the Legislative Council, and ten members from the Assembly present, and yet these did not agree. Why they were absent, or why they were unrepresented in that body, was not for him to tell; but it was clear that, if they had absented themselves from the meeting, their leader, the Hon. member for Toronto, had since whipped them into action, so as to make his rule more complete. But, Sir, they did not even carry out their resolutions, they did not faithfully represent what they called their party, which he would show before he got through. But, just now, he desired to call the attention of the House to a fact, that the Hon. member for North Waterloo, who had introduced the original motion, then under discussion, was actually one of the Committee who prepared the resolutions upon which the new Constitution was based.

Hon. Mr. FOLEY denied it.

Mr. BENJAMIN read the name of the Committee, amongst which, that of the Hon. Mr. Foley appeared, but Mr. Foley denied that he attended the meeting. This, said Mr. Benjamin, was no information for the public; all they could judge from was their own records, and the Hon. gentleman was as much responsible for these resolutions as if he had been present and proposed them. It was his duty, if he was not in accord with his colleagues, to have counselled them; and no doubt he would have done so, and would have advised some step to obtain, not a new Constitution, but a speedy possession of the Treasury Benches. If then, this be the fact, then the Hon. gentleman is insincere in proposing a motion, whereby he and his friends might come to this side of the House, even with their adverse feelings to the existing constitution. Yes, they in their resolutions said, that it was their matured "conviction that the union in its present form could not be continued with advantage to the people." Yet good easy patriotic souls, they were ready to come to the Treasury Benches, with all opposition to the Union, so they might be permitted to occupy the places of power and patronage. Then again he would show the insincerity of the Hon. member for North Waterloo in presenting the motion he had done, which in fact was based upon the double majority system. The Committee, of which he was one, proposed a resolution, declaring that local legislation should not be forced on one section of the Province against the wishes of a majority of the representatives of that section, yet they were of opinion that the plan of Government known as the *double majority* would not be a permanent remedy. If it would not be a remedy then why complain—and still more why after declaring this to be his sentiment, did he come into the House and ask the sanction of the House to that very principle. The resolution strongly reminded him of a resolution presented to that House the other night by the Hon. gentleman, in which he set forth that the House had certain opinions, but it was not expedient to say so. Was he [Mr. B.], then, not right

in denying that the Opposition were in a position to bring up this resolution before the House? But he would further call their attention to the insincere movements of the gentlemen opposite, and he would state, that the Committee of which the Hon. member for North Waterloo was one, declared that the *delay* which must occur in obtaining the sanction of the Lower Provinces to a federal union of all British North America, placed that measure beyond consideration as a remedy for *present evil*. Yes there was found the spring to all their actions, they could not brook delay, they must have immediate relief, they must reach the Treasury benches, or their present evils, which of course only means their being out of office, could not be surmounted. He [Mr. B.] believed this to be a sincere assertion, but it did not chime in with the motion before the House, and he therefore repeated, that the Opposition, were not in a position to call upon the House to express its opinion upon a motion of want of confidence, and these were the men to tell the Ministry and their supporters, that they were in a degraded position, that they were driven into the support of measures they did not desire to advocate. This was not the case; they supported the Ministry for their measures, and because they knew they were free from that practice in corruption, which was so frequently on the lips of the Opposition, because their hearts were full of it. Corruption!—the charge of corruption came with a poor grace, from such men as were found in the Opposition ranks. There was not a movement of the whole party, but was marked by corrupt motives. With the cry of the people, the people, constantly on their lips, they were thinking but of themselves. Assertions and statements were made to affect the Ministry, based upon perverted facts, and falsified Resolutions, and notices of motions, and he was only surprized, that such a trick should have been attempted to be imposed upon the House, and all this for what? Why, simply to obtain power under a system which they condemned. He then pointed out, that their Leader, had given notice of a motion, and had garbled the resolution of the Convention, in the same way that the notice of motion given by the Hon. Atty. General West, had been garbled to suit their views. In fact in no point of view did they place themselves before the House as representing the opinions uttered by their party or themselves: they were in a awful discord, and knew full well that the various divisions and sub-divisions, into which they were split up and divided, must break them down, or in the elegant language of one of the rank and file, they were spreading and spreading, and would at last *squash out*. They were insincere in their votes, they were unpatriotic, for they had sacrificed the interest of their country for their desire of place. It was a well known fact that on a late occasion, when they were called upon to give certain votes, on the Postal Subsidy question, that they had declared they had not given one honest vote during the whole debate. How then could the

country—how could the House have confidence in such men. True it was, that the Hon. gentleman opposite had stated that the motion of the Hon. member for North Waterloo was not intended as a vote of Want of Confidence; that they knew they could not carry such a vote, and therefore it would be folly to move it; but he (Mr. Benjamin) contended that this was only another proof of their internal weakness—of their dissensions, which had now been produced to the world. It proved that there was no leader; if there had been, such a blunder in the motion would not have been made. Again, if this was true, then they should have counselled their followers better. Would any one dare to pretend that the whole debate on the other side of the House had not been upon the want of confidence of members in the Administration. This being so, it required no common degree of assurance, to get up and tell that House, it was not intended as a vote of Want of Confidence, but only as an intimation to the Government, that the appointments which had been made, were distasteful in the extreme. He now desired to point out to the House, that in all the resolutions of the Convention, not one word was heard about *Separate Schools*, that plank was dropped altogether. Not another word would they hear on the subject. It was buried when the union of Brown-Dorion took place, and they would not find them moving it on again. They might, if the subject was brought under the notice of the House by some member of this side, vote as they had done, but it was gone as a plank, and if the gentlemen could only once more be happily ensconced on the Treasury benches, all their other planks would be dropped, and they would find *Separate Schools*, *Representation by Population*, and a new Constitution, all floating into oblivion. This proved their insincerity, and proved too, how unworthy they were of that confidence, which they pretended to possess, from the electors of their own party. He regretted the member for Rouville was not in his seat, because he disapproved of the proposition he had made. He was right.—An Opposition, had as much right to elect its own leader, as they had, and certainly the Hon. member from Toronto, was by far the most able man of his party, and it was folly for any one to talk of any one superceding him. This could not be accomplished. They must find a man, with his ability, before they could do this. Men were not to be found in their ranks at this moment. Surely no one would pretend to set up the Hon. member for Cornwall as a fitting person from either position, knowledge, or ability, to supercede the Hon. member from Toronto. The Hon. gentleman, the member for Cornwall, must not suppose for one moment that Upper Canadians from this side of the House would follow him. They had no confidence in him, and he was no more to be compared with the Hon. member for Toronto, than was a rush light to the sun. Him a leader of Upper Canada, forsooth!—he might be the leader of a little or a small section, but nothing more. Upper Canada

would laugh at the idea of his leadership.—Then there was the Hon. member for Montreal, Mr. Dorion; surely he was not to be their leader, although they did admire him; he was an ambitious man, and to that would sacrifice much, and in the Brown-Dorion movements, was ten times more culpable than the Hon. member for Toronto. Then they had the Hon. member from North Waterloo, he was not jealous of the Hon. member for Toronto, Oh no, not he indeed, he could not, and probably did not think of such a thing. No one would suppose he would do it. Certainly not, all was unity amongst them, but they could not displace that gentleman, and that the Hon. gentleman from Rouville should have known. But he must say, that he looked upon the resignation of the Hon. member for Toronto, which he had placed in the hands of his friends, as a complete farce. Did he not know that it would not be accepted; he felt assured of this; they knew, he knew, that they would all drop asunder, were he, the master spirit, to leave them. It was all nonsense. It was a dishonest trick, such as should not have been practised by a man seeking eminence. Did they desire proof of this fact, they had it in their offer made by the Hon. member for Toronto to the Hon. member for Rouville. If I retire, said he, are you prepared to give us Representation by Population? This question he put as a moderate demand, while he well knew, that so adverse was the feeling of the people of Lower Canada to this doctrine, that it could not for a moment be entertained. The member for South Oxford had entertained the House, with the reading of a placard, which he said was issued by the friends of the Postmaster-General, at the last election. This he could assure the House, was not the fact. It was one of those tricks practised by the enemy, after the fashion of the Hamilton Green Ticket; and now, after the lapse of two years, they attempt to charge the Postmaster-General with issuing it. No doubt the Bill had been placed in the hands of the member for South Oxford, by the member for East Northumberland.

Mr. CLARKE—What is the fact?

Mr. BENJAMIN—That fact is, that the member for East Northumberland will not again be returned by his constituents. And of this, he Mr. B. believed, the gentleman himself had no doubt.

Mr. McGEE—(Sneeringly)—Hear, hear, hear.

Mr. BENJAMIN—The junior member for Montreal does well to wash his mouth and throat; they need it. But to continue. The Hon. member for South Oxford, had made some allusions to the Hon. Atty. Gen. West, when he left the House: the feelings of a gentleman should have dictated another course. He knew the Atty. Gen. was an invalid, and that, after addressing the House for two hours, he was exhausted, and a proper feeling would have induced a different course. Many of the gentleman's remarks—he could not dignify them by calling them arguments—had been addressed personally to the members on the Ministerial side of the House,

and the House had marked its disapprobation at the time, in a manner to convince gentlemen on the other side, if they were open to conviction, that they were not admired for their delicacy; but these Hon. gentlemen would find, when the time came, the present Ministry less inclined to make a sacrifice of their personal position and character, for the retention of office, than were the unfortunate Administration of 1858, who were only allowed twenty-four hours to consider the position their own treachery had led them into; and, whatever the Ministry of the day may have done, it is at all events certain, they have not perfidiously violated any pledge, given to political friend or foe. He could not be expected, at that late hour, to go through the whole extent of matter, gone over in the debate, by the Opposition. The Hon. gentleman said there was no comparison in the cases between Mr. Morrison and Mr. Holton, because Mr. Holton polled more votes in Montreal, than did the Premier, and that the Premier was obliged to seek another constituency. This was true; but had Mr. Holton found another constituency? Certainly not, and he could not find one. The Hon. gentleman also alluded to the employment of Messrs. Richards and Cameron as Crown Counsel, and said it was improper, because they were defeated candidates. Did it follow, because a professional man was defeated for a seat in Parliament, that he was to be deprived of the privileges of his profession. Would the Hon. member for South Oxford sanction this? If his doctrine be right, then the most able and eminent men of the profession, as soon as they offer for a constituency, must cease their career as officers of the Crown. If elected, he would be ineligible, if rejected, he would be disqualified. The Hon. member said he had no fault to find with the gentlemen. If this was the case, then why complain? But, the cant of friendship with which these gentlemen crowned their acts was most disreputable. Mr. Morrison was their friend, they respected him, they loved him, but the good patriots, they loved their country more. He believed the false friend, was not to be relied upon as a sound patriot. If, as he said, he had no fault to find with them, why allude to them? But no, a little capital could be made out of the display, and away to the winds with friendship, gratitude and all. He did not envy such men their feelings. He contended that the hubbub about the appointment of magistrates was all a pretence, and if they, the Opposition, were in power, they would be the last to give a single appointment to any opponent. They had no right to ask the Government to make appointments to suit them, and were silly indeed, in showing their disappointment. All they wanted was patronage, power and place. Hark, too, they undertook to say there was no discretion! Did they dare say this, and bear in mind that the the Hon. member for Toronto had resigned. Why did he resign? Was it because there was unanimity in their ranks—was it because they were all willing and desirous of serving under their tyrant—was it be-

cause they admitted he was the man? No indeed. It was only because they were no longer unanimous in their support of the Hon. gentleman's measures—it was because they disagreed as to what course should be taken,—and this proved beyond all doubt or misapprehension, that there was dissent in their ranks, that they were, as a certain number of their party classically expressed it, squashed out. Sir, in spite of the ability of the Hon. member from Toronto, who had so well whipped in, his rattling followers, how could the country have confidence in him? In a very short time, the Hon. member had boxed every point of the political compass,—had adopted as many schemes for gaining power, as there were months in the year, and had abandoned them all as quick as a new idea would come uppermost, by which he and his party hoped to reach office and power. He, the member for Toronto talked to that House of the independent principles and respectability of the majority from Upper Canada, as compared with the minority on this side of the House, and they on that side of the House, the minority, the supporters of the Ministry, as soundly maintained that the minority was in no ways inferior either in independence, respectability and principles, to the majority. Then a great lament was made on the castigation administered to the member for North York, by gentlemen on this side of the House. It was wrong in the opinions of the member for Cornwall, and of the member for South Oxford, that he should be told he had presumed too much, but he was cheered when he charged him, in a high position, with committing perjury. This was all right. But he (Mr. B.) could overlook the matter, in this instance, inasmuch as the gentleman belonged to the legal profession, and he fancied he was addressing a jury in some small Court. He will learn by-and-by. Then there was the Hon. member for Cornwall, he in his imaginary power believed he was the exponent of the Reform Party, and sneered at the idea of Mr. Baldwin's opinions, because it had been reported he approved of the Coalition, and soaring as usual to the clouds, asks in the true style of a demagogue, if they will put Mr. Baldwin's opinion against the opinion of the People of Upper Canada. And all because the Hon. gentleman supposes he is really a leader in the Reform ranks—the thing was more than ridiculous, it was absurd. He could not go over the whole of the remarks made by Hon. gentlemen opposite, at that late hour of the night, but he was sure the House must be satisfied that the gentlemen were not in a position, to call upon the House to declare their want of confidence in the Ministers, and that they would reject the motion by a large majority.

The House then adjourned.

LEGISLATIVE COUNCIL

Quebec, March 26, 1860.

Hon. Mr. Speaker took the chair at 3 o'clock.

VISIT OF THE PRINCE OF WALES.

Hon. Mr. DEBLAQUIERE enquired of the Government what were the preparations that the Executive Government propose to make for the fitting reception of his Royal Highness the Prince of Wales, by the Province of Canada, consequent upon the joint Address of legislature.

Hon. Mr. VANKOUGHNET replied that the Government were actively engaged in making suitable arrangements for the reception of His Royal Highness; but they were in such an immature state, that nothing definite could be laid before the House. However, when they were matured, due notice of them would be given.

SAFETY ON STEAMBOATS.

Hon. Col. Prince presented the report of the Special Committee on the bill, to make provision for the safety of passengers on board Steamboats. The report was ordered to be taken into consideration to-morrow.

INTERNATIONAL BRIDGE COMPANY.

Hon. Mr. Christie presented the report of the Committee on the bill to extend the time specified in the charter of the International Bridge Company.

The report was received, and the bill read a third time and passed.

ELECTIVE LEGISLATIVE COUNCIL
SPEAKER.

Hon. Mr. VANKOUGHNET moved to add a rider to the bill, to render the office of Speaker in the Legislative Council Elective, by striking out the last clause, which provided that the Act should not come into force until after the meeting of next Parliament, and inserting a proviso that the House might elect its own Speaker, at the first meeting of the new Parliament, or on the occasion of the first vacancy in the Speakership, which ever might occur first. The Hon. gentleman stated, that on consulting with his colleagues, the determination to add the rider had been come to. The suggestion originally came from the Hon. Mr. Morris.

Hon. Mr. MORRIS seconded the motion.

The rider was then attached, and the Bill read a third time and passed.

TORONTO MECHANICS INSTITUTE.

The Bill to repeal the charter of the Toronto Mechanics Institute was read a third time and passed.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Monday, March 26th, 1860.

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

BILLS INTRODUCED AND REAE A THIRD
TIME.

Bill to amend chap: 95 of the Consolidated Statutes of Canada, Entitled an Act respecting lotteries.—Mr. *Dunkin*.

THE NON-CONFIDENCE MOTION.

The House resumed the consideration of Hon. Mr. *Foley's* motion of non-confidence in the Administration—of Mr. *Ouimet's* motion in amendment thereto—and of Mr. *Laberge's* motion in amendment to the amendment.

Mr. HOLMES thought the question was one not so much of party as of men. If the present Administration were put out, where were they to look for a better? All party lines might now, he thought, be defined by one small word, "office."

Mr. RYMAL said that the Attorney General had likened the Opposition to the Italians and Hungarians, and Mr. Brown to Louis Napoleon. Now, were it not for French influence the Hungarians and Italians would have been free long ago. However, he had no confidence in the Attorney General, who had deserted his political godfather. From an enumeration of those who voted at the last general election, he found that 395,728 people were represented by Opposition members, and 531,813 by Ministerial members. He also found that 62,700 had voted for Opposition men, and 54,000 for Ministerialists, Hon. Mr. CARTIET—No. Only 42,700 voted for Opposition men.

Mr. RYMAL maintained that he was right, and that the figures were as he had given them.

Mr. LORANGER did not see how the double majority principle could be made to work in matters general to the whole Province. In local matters, however, it ought to be carried out. He, therefore, could not vote against the amendment of the member for Iberville, which, in substance, expressed the opinion he held in this question.

Mr. SOMERVILLE utterly denied that the people of Canada had any confidence in the present Administration. He had once supported that Administration, but their repeated acts of injustice and their partiality had induced him to withdraw his support. He felt that the English Canadians were ruled not only by French Canadians, but by one French Canadian, who had influence enough to do just as he pleased in the affairs of the Government. He hoped that such a state of things would not last much longer.

Mr. THIBAudeau said he was in favor of the double majority principle, and would therefore vote for the amendment.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 26, 1860.

THE NON-CONFIDENCE MOTION.

(Concluded from our last No.)

Mr. POPE, as representing an English speaking constituency, had always found the French Canadians ready to concede all the rights that English Canadians could claim. Should the time ever come when the case was otherwise, he would be the first to condemn the injustice, and to contend for his rights. Many of the laws and customs of the French Canadians were susceptible of reform, but they had as much right to their opinions as the English Canadians.--- The object of the union was to assimilate as far as possible, the two divisions of the country, but the double majority principle was in its tendency, directly opposed to carrying out that object.

Messrs. CLARK and GOULD spoke in favor of the original motion.

Col. PLAYFAIR admired the bold and open manner which Mr. Foley had introduced his motion. But it was the last throw of the dice on the part of the Opposition. It was like the last charge of the Old Guard at Waterloo, and it would result like a certain battle, after which Wellington had said of the enemy that they came up in the old style, and were driven back in the old style. He had come to Canada in 1812, and had long marked carefully the affairs of the Province, and never had he known a time when British capitalists had such confidence in the stability and worth of Canada, as they had at the present moment. He had confidence in the Government himself, because he had seen them carry good measures---measures of lasting benefit to the country---such as the abolition of the settlement of the Seginorial Tenure, Seat of Government question, and other questions which they had disposed of satisfactorily. They had also opened up the great and fertile country of

the Red River, that emigrants might not be tempted to go to the United States, to come back perhaps, in the next generation, with rifles in their hands. As long as the Government brought forth good measures, he should vote for them.

The House then divided on Mr. LABERGE'S amendment.

YEAS :---Messrs. Atkins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Howland, Jobin, Labelle, Laberge, Lemieux, Donald A. Macdonald, John S. Macdonald, McDougall, McGee, McKellar, Munro, Notman, Papineau, Patrick, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Stirton, Thibaudeau, Walbridge, White, Wilson, Wright. ---44.

NAYS :---Messrs. Abbott, Alleyn, Archambault, Baby, Beaubien, Benjamin, Burton, John Cameron, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Coutlé, Daoust, Dawson, Désaulniers, Dionne, Dubord, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Foster, Fournier, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Lacoste, Langevin, Laporte, LeBoutillier, Loranger, Loux, Macbeth, Attorney General Macdonald, McLeod, A. P. Macdonald, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Pope, William F. Powell, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Simpson, Sincennes, Sidney Smith, Somerville, Tassé, Tett, Turcotte, Webb.---68.

The question being then put on Mr. Ouimet's motion of amendment,

Mr. PICHÉ moved in amendment thereto, that all the words after, "That" in the said amendment be left out, and the following inserted in lieu thereof; "this House cannot place confidence in the present Ministry, several of whom belong to the Orange Society; of whom the greater number voted in favor of a law adopting the principle of Divorce; and who failed to

offer a suitable resistance to the said law, and neither opposed it as a Government, nor made of it a Government or Ministerial question."

YEAS:—Messrs. Bourassa, Bureau, Jobin, Laberge, Lemieux, McGee, Papineau, Piché, Thibaudreau.—9.

NAYS:—Messrs. Abbott, Aikins, Alleyn, Archambault, Baby, Beaubien, Bell, Benjamin, Biggar, Brown, Burton, Burwell, John Cameron, Malcolm Cameron, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Clark, Connor, Cook, Coutlee, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Dorland, Dubord, Dufresne, Dunkin, Ferguson, Ferres, Finlayson, Foley, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Gould, Gowan, Harcourt, Harwood, Heath, Hébert, Holmes, Howland, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loranger, Loux, Macbeth, Attorney General Macdonald, John S. Macdonald, MacLeod, A. P. McDonald, McDougall, McKellar, McMicken, Meagher, Solicitor General Morin, Morrison, Munro, Notman, Ouimet, Panet, Patrick, Playfair, Pope, Walker Powell, William F. Powell, Price, Robinson, Roblin, Rose, Dunbar Ross, James Ross, Rymal, Richard W. Scott, William Scott, Sherwood, Simard, Simpson, Sincennes, Sidney Smith, Somerville, Sturton, Tassé, Tett, Turcotte, Wallbridge, Webb, White, Wilson, Wright.—105.

The question being again put on Mr. Ouimet's motion of amendment.

Hon. Mr. THIBAUDEAU moved in amendment thereto, that all the words after "That" in the said amendment be left out, and the following inserted in lieu thereof—"This House and the country cannot repose confidence in an Administration, which has neglected Catholic interests by failing to propose the reforms desired by the Catholics of Upper Canada, with regard to separate Schools."

Mr. MCGEE said he had seen in the *Minerve*, a positive statement that in the present session the Government would bring down a measure to remove the objections in the way of the working of Separate Schools in Upper Canada. Such a measure had been introduced by a member from Ottawa, and the motion now made would afford the Government an opportunity of making known their views and intentions regarding that important question.

Mr. R. W. SCOTT hoped his Bill regarding Separate Schools, would receive the approbation of both sides of the House. He thought it very unfortunate that the member for Port Neuf should have brought the subject up in connection with the question of Want of Confidence. He was a warm supporter of Separate Schools, and, when the question came up in a legitimate shape, he should look for support from the Government, and to some extent from the Opposition.

Mr. SIMPSON said, that the feelings of Upper Canada had been misrepresented by the Opposition. The Ministry stood well with the country, and the next election would show it. Their having continued in office so long was a proof

of their ability, of the good character of their measures, and of the fidelity with which they carried out their pledges.

Hon. J. S. McDONALD defended himself against the attack of the member for Lennox and Addington, whom he characterised as a political pauper and mendicant, who had deserted his principles, and sold himself to the Administration. He (Mr. McDonald) did not agree with the member for Ottawa on the subject of Separate Schools. He thought they were not calculated to promote peace and harmony among the people. The Bill was unnecessary, and it was a farce to attempt to carry it through.

Mr. ANGUS MORRISON had listened to the arguments of those who contended that the Government had lost the confidence of the people of Upper Canada, and after all, he remained satisfied that such was not the case. He had supported the Administration conscientiously, and in so doing, he believed that he consulted the best interests of the country. The member for Cornwall taunted him and the member for Lennox and Addington, with having deserted their principles, which was incorrect; but that member had forgotten how he had abandoned his own and joined McNab, to defeat the Hincks-Morin Administration. It was well known, moreover, that that member had not one feeling in common with the senior member for Toronto and his party, and therefore, he found himself in a most uncomfortable position. He (Mr. Morrison) was perfectly satisfied that the people of Upper Canada were so sick of the Brown-Dorion concern, that if a general election took place to-morrow, some fifteen of the party would never return to the House.

Mr. ROBLIN said that the member for Cornwall had made some charges against him in connection with his election, but he (Mr. Roblin) had repelled them before, and he again emphatically repeated they were false.

Hon. Mr. FOLEY contended, that so far from gentlemen in Opposition failing to secure their seats at the next general election, the reverse would be the case. That many Ministerial members then present would never be returned, he was also confident of. Again, he did not think there was any diversity of opinion among Upper Canadian members, on either side, as to Representation by Population, or Dissolution of the Union. But, with regard to the latter, if there was a diversity, he could assure the House that the time would come, if the present pernicious system of governing Upper Canada against her will, were persisted in, when even lovers of the Union would demand its repeal; and for his part, he would say, "perish the Union" sooner than that such a system should continue. He contended that the Ministry governed in direct opposition to the express opinion of the people of Upper Canada, and that they had, in fact, abandoned legislation altogether.

Hon. Mr. ROSE said, that none of the propositions laid down by the Hon. member for Waterloo, were supported by the people, and that the principles on which the member for Toronto

and his followers were elected, had been abandoned by him and his party. Of these, Representation by Population was the chief. This was abandoned by Messrs. Brown and Dorion, or else surrounded by such checks and guarantees as would nullify its effect. The religious cry adopted at the late elections, was also abandoned. With regard to the feelings of Upper Canada, he believed that the gentlemen on the other side of the House did not fairly represent it, and challenged them to name any measure that had been forced upon Upper Canada against its will. At the same time, it was impossible for the member for Toronto, who had the largest number of Upper Canadian followers in the Opposition, to form a Ministry, for the reason that he could never command the support of the Lower Canadian members, against whom had really been levelled all the tyrannies that it was untruly stated had been practised on Upper Canada.

Mr. J. B. ROBINSON said:—Mr. Speaker,—I think you will agree with me, that this debate has assumed somewhat the character of a free fight, ranging as it has done from the history of the Brown-Dorion Government, on the one hand, to the celebration of the famous Champagne supper in Toronto, on the other, which last was at one time countenanced by the Mayor, and afterwards, for, no doubt, very prudential reasons, discountenanced by him. As this Want of Confidence motion is of an exceptional and peculiar character, it is of the more consequence for every member to express his views upon it; otherwise, perhaps, the motives which actuate him in recording his vote might be misinterpreted by some of his constituents. I was, Sir, a little amused at what fell from my Hon. friend from Leeds, upon this subject; when I say this, I allude in no slighting terms to his speech, for he is one of those Irishmen who are habitually and by nature eloquent, and as a young member of this House, I always listen to him with great pleasure. In his introductory remarks, however, he stated that he occupied upon this occasion an attitude of partial indifference, and before he recorded his vote, not desiring to speak, he would wait to see what the supporters of the Government had to say in their favor, and what the supporters of the Opposition had to say in reply: and having done this, would act the part of an arbitrator, and decide between them. But as a strange conclusion to the premises he laid down, he gave us a full history, himself, of all the doings of the Ministry for the last three years, of the Acts that they had introduced, as well as the reasons that induced the Opposition to vote against them; and, though proving his inconsistency, still, I must say that the facts which he brought out, have formed the ground work upon which many another speech from many another Hon. member has been made. Now, Mr. Speaker, though I am also somewhat indifferent myself as to the result of this vote, for reasons which I shall hereafter give, I cannot support the amendment introduced, inasmuch as it asserts the principle of the Double

Majority, which, as is well known, I have always opposed, and which, therefore, I should only be stultifying myself by supporting on the present occasion. The gentlemen who support this principle, have failed to show us any precedent in history for those views which they now desire us, as a Parliament, to adopt. Surely, there have been unions of many countries in times gone by; but where, in one of them, was any such principle established? Where, in any country, was it now in force? The only instance that I can find where it was in operation, was for a few short years on this Continent, when, after the close of the war with America, the revolutionary confederacy was established, and which lasted from 1783 to 1789. There this Double Majority system, or, in other words, the will of the separate revolutionary States, was observed, each State collecting and distributing its own revenue. But what was the consequence? Why, that during those six years, property of every kind depreciated to a ruinous extent, so much so that the taxes even could not be paid in money, but only in such articles as were useful to man. All laws were trampled upon; credit was gone. The ablest and most reflecting of American statesmen at length observed that such a system (this very system of a double majority) was totally inadequate for the purpose of government, and that the only safety for the country lay in the consolidation of the laws in the complete union of all the States. Hence, the present Constitution of the United States was adopted, after six years utter failure of this much vaunted Double Majority system. Then, again, Sir, the adoption of this principle in United Canada now, would only bring us all back to the same state of things that existed in Lower Canada previous to the Union. What does Lord Durham in his report say?—A report, by-the-by, highly approved of by some Hon. members in favor of this Double Majority system, and therefore, the more to be attended to by them. He states, that upon his arrival in this country, (speaking of Lower Canada) he expected to find a contest between a Government and a people; but instead of this, he found two nations warring in the bosom of a single State—a struggle, not of principles, but of races—just such a state of things as would again be introduced if this double majority system was to prevail. The old contest—English against French—French against English. “Our institutions, our laws, our language,” on the one side, opposed to “our institutions, our laws, our language,” on the other. Rather than see a renewal of this contest, I would prefer that the Union itself be dissolved, though, in my opinion, it is the wiser and the better plan, by mutual concessions and honest statesmanship, to try to cement, rather than to sever this Union, under which, comparing ourselves with other countries, we have advanced so steadily and well. Now, Mr. Speaker, as to the vote of Want of Confidence in the present Administration, I must confess, though not quite so indifferent as my Hon. friend

from Leeds, still that I have not the same confidence in the Government that I formerly had. Why? Because the Conservative party in Toronto view with disapprobation, an appointment to a high political office lately made by the Government. They view it as a violation of the principles of Responsible Government, as those principles are understood in this country. The principle in their opinion consists in this—that members of Parliament should be held responsible to the people, and the Government of the day responsible to those members, in Parliament assembled. In this case, where is the responsibility? The whole principle is reversed; and the power instead of proceeding direct from the people, has proceeded directly from the Government—the gentleman in question, the sworn adviser of His Excellency, being responsible to no one. Besides this, Sir, the Conservative party in Toronto think that they have seen in this appointment an attempt in the Government to give undue prominence to those who may be styled the remnants of the old Hincks' party in this country. The Conservative party are admittedly the first on the list for political services, the first in numbers, the first in power. They not only support, but are the very foundation of the existence of the present Government; as such, they claim to be consulted, and will not agree to be placed second on the list by this or any other Government to whom that support is given. It is time the Administration should understand that the Conservative party will no longer consent to be "heavers of wood and drawers of water" to their more fortunate political allies in this Coalition Government. (Hear, hear.) They will not agree that all the patronage, all the powers of the Administration shall be narrowed down into one political channel. (Hear.) Let this continue, and they would infinitely prefer a return to the old party lines, and let the cry be, as of old Tory or Conservative on the one side, Radical or Clear Grit on the other. Many of my constituents have expressed these sentiments to me; so I, without hesitation, express them here. He is the best friend to the Government, who tells them the truth, unpalatable though that may sometimes be. (Hear, hear.) Now, Mr. Speaker, one word as to these party organizations. The Attorney General stated, in the course of the debate, that he did not approve of the cry "That to the victors belong the spoils." Though this doctrine was enunciated by a great American statesman (I allude to Governor Marcy), and is the principle upon which the Democratic party have ruled that country for years, still I agree with the Attorney General, that it would not be well to turn out indiscriminately every subordinate officer on the advent of a new party to power. But, Sir, I do approve of the governing by a party, for a party, for the benefit of the whole country. What is party, unless it be the banding together of a body men to carry out some great political ends for the benefit of the people? The Reform party handed themselves to-

gether, in olden times, to carry out those two great measures, the Union of the Provinces, and Responsible Government—which, by the way, they now unite to uproot and destroy! (Hear, hear.) How is it in England? Is there no party Government there? There is, in every country where constitutional rule prevails. I am in favour of it here. But gentlemen may say the Conservatives in Upper Canada are no longer a party; they could not govern the country. I say they can. (Hear, hear.) Look at the position of the Conservative party at the present time in England. Seven years ago, owing to the treachery of the Peelites they were scattered, their strength dissipated and gone. Where are they now?—why, confessedly the greatest party in the country. So with us here. The Conservative party may have been deceived, but the principle of Conservatism is yet strong;—vitality is there; the spark is yet alive, and all that is necessary is, that it should be fanned—fanned with judgment, but with enthusiasm; and—mark my words, Mr. Speaker—the Conservative party would sweep Upper Canada at the next elections, from one end of it to the other. (Great cheers.) But, Sir, I have not, as I have stated, the same confidence in the Government as before. The Clear Grits need not think that I intend joining them. (Hear, hear, from Mr. Sandfield Macdonald.) I would do nothing to afford them any particular triumph. As a native Canadian I have seen, with the greatest regret, the leader of that party (my colleague) do all in his power for seven long years to make protestants and Catholics hate one another. He has done this, too, in language the most insulting to the Roman Catholic religion,—the most contemptuous and insolent towards their priests and people, and yet, though the Catholic religion has not changed, though the Pope and the Priests are the same as they were, have I seen this gentleman, when the cup of office was held to his lips, swallow all that he ever said—swallow Pope, priests, religion, everything, ay, even the junior member for Montreal sweetening the draught. (Laughter.) I have seen this leader, backed by the Clear Grit party, lash Upper Canada into frenzy on the subject of Representation by Population, and on the School question—and, still, at the bidding of the junior member for Montreal, agree that these questions should never again be alluded to by him either in the *Globe* or in his place in Parliament; which promise, I must say, he has faithfully kept. Having witnessed these things, I could not support either him or the party which he leads. Mr. Speaker, the influence of the junior member for Montreal has been great over my Hon. colleague. The Hon. Commissioner of the Board of Works alluded this evening to the great Protestant *horsés*. But where is his spirit, where is his life or vigor now? Rarey tells us, if you can only get up the fore leg of a vicious horse, the rest of the operation is an easy one. The Hon. member for Montreal has proved a most skilful manipulator; he was hardly a fortnight in Parliament with my Hon.

colleague, when he got his fore-leg well up; and though occasionally a Protestant yell was heard while the coaxing was going on, still Mr. McGee never flagged in his treatment. Suddenly, to the astonishment of the whole Province, this great "Protestant horse" was completely turned over—the member for Montreal on his back, the umbrella of Popery flashed in his face; and though it was covered with images of priests and Pope, my Hon. colleague has never since that day showed the slightest Protestant uneasiness; and now they tell me, sir, that both these vicious animals are seen browsing together every day in the green pastures of Laval College. (Great Laughter.) Mr. Speaker, the electors of Toronto know all these things—they have seen the party, of which my Hon. colleague is the leader, most anxious to dissolve that Union which they themselves have brought about—they have seen this party eager to decry that system of Responsible Government which they themselves have established—and as the member for Toronto is the leader of this Clear Grit party, and the most inconsistent of all, it is well to inform the House that the electors of Toronto have made up their minds never again to return him to Parliament. I have now given you, sir, some of the reasons that induce me to vote against the amendment of the Hon. member for Waterloo. Whatever others may think of them, they are satisfactory to myself, being based upon that which I was determined upon the first opportunity, to assert viz.—equal rights and equal justice for the great Conservative party of this Country. [Great Cheers.]

After a few words from Messrs. McKellar, Patrick and Harwood, the House divided on Mr. Thibault's amendment.

YEAS:—Messieurs. Bourassa, Bureau, Jobin, McGee, Piché and Thibault.—6.

NAYS:—Messrs. Abbott, Aikins, Alley, Archambeault, Baby, Beaubien, Bell, Benjamin, Biggar, Brown, Burton, Burwell, John Cameron, Malcolm Cameron, Carling, Caron, Cayley, Attorney-General Cartier, Cauchon, Chapais, Cimon, Clark, Connor, Cook, Coutlée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dorion, Dorland, Dufresne, Dunkin, Ferguson, Ferres, Finlayson, Foley, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Gould, Gowan, Harcourt, Harwood, Heath, Hébert, Holmes, Howland, Labelle, Lacoste, Langevin, Laporte, Lemieux, Loranger, Loux, Macbeth, Attorney-General Macdonald, Donald A. Macdonald, John S. Macdonald, MacLeod, Mattice, McCann, A. P. McDonald, McDougall, McKellar, Meagher, Solicitor-General Morin, Morrison, Notman, Oumet, Panet, Papineau, Patrick, Playfair, Pope, Walker Powell, William F. Powell, Price, Robinson, Roblin, Rose, James Ross, Rymal, Richard W. Scott, William Scott, Sherwood, Short, Simard, Simpson, Sincennes, Sidney Smith, Somerville, Sturton, Tassé, Tett, Turcotte, Wallbridge, Webb, White, Wilson and Wright.—106.

Mr. HEBERT explained, in English, his statement the other night, as to the reasons which induced him to abandon the Opposition, namely,

the double-faced conduct of the Brown-Dorion Administration on the Seigniorial question. This brought up Mr. Dorion, who said that the \$10,000 reserved last Session for payment on account of the Seigniorial Tenure, had been distributed chiefly amongst Municipalities represented by supporters of the Government, including the member for Megantic.

Mr. CARTIER quickly repelled the charge of favoritism, showing, from the law and facts, the unfounded character of the assertion of Mr. Dorion.

The House then divided on Mr. Oumet's amendment.

YEAS:—Messieurs. Abbott, Alley, Archambeault, Baby, Beaubien, Benjamin, Burton, John Cameron, Carling, Caron, Cayley, Attorney-General Cartier, Cauchon, Chapais, Cimon, Coutlée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dubord, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Langevin, Laporte, Loranger, Loux, Macbeth, Attorney-General Macdonald, MacLeod, McCann, A. P. Macdonald, McMicken, Meagher, Solicitor-General Morin, Morrison, Oumet, Panet, Playfair, Pope, William F. Powell, Price, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Simpson, Sincennes, Sidney Smith, Tassé, Tett, Turcotte, Webb.—70.

NAYS:—Messieurs. Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Howland, Jobin, Laberge, Lemieux, Donald A. Macdonald, John S. Macdonald, Mattice, McDougall, McGee, McKellar, Munro, Notman, Papineau, Patrick, Piché, Walker Powell, James Ross, Rymal, Wm. Scott, Short, Somerville, Sturton, Thibault, Wallbridge, White, Wilson, Wright.—44.

The main motion, as amended, was then agreed to.

EAST RIDING OF MIDDLESEX.

The SPEAKER acquainted the House that he had this day received the following letter:

"QUEBEC, 26th March, 1860.

"To the Honorable the Speaker of the Legislative Assembly.

"SIR,—We beg to inform you that a vacancy has occurred in the representation of the East Riding of the County of Middlesex, by the death of Marcus Talbot, Esquire.

"Witness our hands, and seals at this place and date above written,

"GEORGE BROWN. [L. s.]

"Member of the Legislative Assembly for the City of Toronto.

"WILLIAM NOTMAN, [L. s.]

"Member for the Legislative Assembly for the North Riding of Wentworth."

PUBLIC ACCOUNTS FOR 1859.

Hon. Mr. ALLEYN delivered a message from His Excellency the Governor-General, forwarding the Public Accounts for the Province.

On motion of Hon. Mr. CAYLEY, the Accounts were referred to the Standing Committee on Public Accounts.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 27, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

MONTREAL MECHANICS' INSTITUTE.

Hon. Mr. FERRIER presented the report of the Committee on the Montreal Mechanics' Institute Bill.

The report was ordered to be taken into consideration to-morrow.

REVISED STATUTES.

Hon. Mr. SIMPSON presented the sixth and seventh reports of the Printing Committee, the former of which recommend the printing of 2,000 copies of the Consolidated Statutes, at cost price, for distribution, on the tender of Mr. Lovell.

ST. PAUL'S CHURCH.

Hon. Mr. DeBLAQUIERE introduced a Bill to enable the Church-wardens of the Church of St. Paul's, at Woodstock, to sell and convey certain lands.

The Bill was read a first time, and ordered for a second reading on Friday, the 49th Rule of the House having been first suspended.

CONVEYANCERS.

Hon. Mr. PATTON introduced a Bill to limit the liability of Conveyancers.

The Bill was read a first time, and ordered to be read a second time on Thursday.

DIVISION COURTS.

Hon. Mr. PATTON enquired of the Government whether the return moved for by the Address of the House, of the 21st of April last, in relation to the Division Courts, had been made; and if so, when they would be laid before the House?

Hon. Mr. VANKOUGHNET replied that partial returns had been made, only, which would be laid before the House. There was no way of forcing the returns to be made. The delay in not presenting those already made, arose from the waiting for full returns.

PROTECTION OF GAME.

Hon. Col. PRINCE moved the second reading of the Game Protection Bill of Upper Canada. The object of the Bill, as he had before explained, was to protect the killing of game out of season, when it was in fact carrion; and also the exportation of it to Eating Houses in New York. It was not intended to revive the tyrannical game laws of Europe—but, among other things, to do away with the cowardly and base methods of pseudo-sportsmen—such as trapping, hamstringing, and actually hanging the deer. Such game as deer, moose, wild turkey, and beaver, also were especially cared for in the Bill.

Hon. Mr. VANKOUGHNET, while concurring in the principle of the Bill, did not think that the exportation of game out of the Province could be prohibited. Game was imported into this Province, both from the States and from

England—and if such a clause was put in the Bill, retaliatory measures could be resorted to.

Hon. Mr. CAMPBELL approved of the Hon. Commissioner of Crown Land's remark as to the exportation of the deer, but thought that the practice had grown to such an extent, that something should be done.

Hon. Mr. SIMPSON thought the Bill might be extended to Lower Canada, as he was aware that very large quantities of the moose were being annually killed there out of season, and in the most brutal and unsportsman-like manner. The mink also needed protection.

Hon. Mr. WALKER agreed with the last speaker. Parties of men went out when the snow was deep and soft, and at an improper season, and shot down the moose as one might shoot down cows in a farm yard.

The Bill was read a second time, and referred to a Select Committee, composed of the Hon. Messrs. *Panet, Simpson, Boulton, Moore, Allan, Campbell,* and the mover.

SAFETY OF PASSENGERS ON STEAM-BOATS.

Hon. Col. PRINCE moved the consideration of the amendment on the Bill to provide for the Safety of Passengers on Steamboats. The amendments were to the effect that the Steamer plying from Kingston to Lake Superior should be provided with masts and sails, and also the Steamer plying from Quebec down the Gulf—not interfering with those running from Quebec to Kingston, where masts and sails would not be required. Bowsprits it was found were not required. Ample power was to be given to the Board of Steamboat Inspectors, to enforce the provisions of the Bill in all cases necessary—at the same time much was left to the discretion of the Inspectors.

Hon. Mr. VANKOUGHNET did not think that vessels plying in Lake St. Clair need come under the provisions of the Bill—but made no objections as the Inspectors would, doubtless, with their discretionary power, see that what was right, only was enforced.

Hon. Mr. CAMPBELL contended that the interests of ship-owners ought not to be overlooked.

Hon. Mr. FERRIER, and Hon. Col. PRINCE, agreed that the safety of passengers was paramount, and the expenses that the owners of vessels would be put to only a secondary consideration.

Hon. Mr. DeBLAQUIERE and Hon. Mr. PERRY concurred in these opinions.

The Report of the Committee was then adopted, and the Bill ordered for a third reading.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Tuesday, March 27, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to separate the Counties of Lennox and Addington from the County of Frontenac, for judicial and municipal purposes.—Mr. *Roblin*.

BILL to incorporate the Windsor Improvement Company.—Mr. *McLeod*.

BILL to provide for the repayment, to the United Counties of Northumberland and Durham, of monies loaned by them to certain Municipalities within the said Counties.—Mr. *Burton*.

BILL to alter the limits of the Township of South Halifax.—Mr. *Hebert*.

BILL to remove doubts as to the validity of marriage contracts solemnised by the Society of Friends, commonly called Quakers.—Mr. *McGee*.

REPRESENTATION OF EAST MIDDLESEX AND THE COUNTY OF GRAY.

Hon. Mr. BROWN said that he had given notice, jointly with the Hon. member for Wentworth, of the death of Mr. Marcus Talbot, but Mr. SPEAKER did not consider the evidence of Mr. Talbot's death sufficient to justify him in issuing a warrant for a writ, without referring the matter to the House. He [Mr. Brown] thought the case clear enough to warrant Mr. Speaker in acting independently.

Hon. ATTORNEY GENERAL WEST admitted the great probability that Mr. Talbot was no more, but there was no actual proof of his death. All the boats had not been found; it was just possible that some of them had pushed out to sea and been picked up by other vessels outward bound. There was certainly no proof upon which a Life Insurance Company would act. Mr. Talbot was a young gentleman of high honor and considerable talent, and a few years' experience would have given him a prominent and influential position among the politicians of Canada. He regretted his probable loss deeply, both as a firm ally and a warm and generous friend; and he, (the Attorney General) very much feared that it was at his solicitation and desire Mr. Talbot had determined to sail for Canada, for he [Mr. Talbot] had serious intentions of remaining in his native land to protect the family thrown upon his charge by his father's decease. Until there was more satisfactory evidence of his death he thought no writ should be issued for a new election. There were many different rumors about Mr. Hogan, but the House would not be justified in taking any such steps in regard to an election to fill the vacancy caused by his absence.

Hon. Mr. BROWN entirely sympathised with the Attorney General, and would rejoice if there was the slightest hope of hearing again from Mr. Talbot, but he thought it was hoping against hope. He [Mr. Brown] had intended to bring up the case of Mr. Hogan, but his absence was

under very different circumstances. In regard to Mr. Talbot, that gentleman had written to say he would sail by a certain ship; that ship had sailed, and we heard that he had paid his passage, and the proprietors believed he had sailed; and letters from his friends said he sailed. What further proof were we likely to have that he was lost? It was almost impossible that, if on board, he could be yet alive.

Hon. ATTORNEY GENERAL WEST said he might have been picked up and carried perhaps to South America or the Mediterranean.

Hon. Mr. BROWN said that might have happened had the wreck taken place out at sea, but under the circumstances there was no ground to hope that such was the case. The law provided that, on the Speaker being informed by two members of such a vacancy, he [The Speaker] should forthwith give his warrant for the issue of a new writ. The object of the law was that Counties should not remain unrepresented, and that the onus of declaring the vacancy should be thrown upon two members and not on the Speaker alone. If a new election were ordered now, four or five weeks would elapse before it would take place, and if there were the least doubt of Mr. Talbot's death it would be removed by that time. But under no plea should a County be left unrepresented. Before giving notice of the vacancy he (Mr. Brown) had consulted several of the legal members of the House, and all agreed that the time had come when a new writ should be issued. However, he had no objection to waive his notice for the present, at any rate, until the arrival of another mail. (Hear, hear.) In regard to Mr. Hogan, he had not been heard of since December last. It was due to him and to the House that enquiries should be made why he had not taken his seat during the present Session.

Hon. ATTORNEY GEN. WEST quite agreed with the Hon. member for Toronto regarding enquiries as to the cause of Mr. Hogan's absence. He had left Toronto as if for a trip of a few days, taking with him merely a carpet-bag, and making no arrangements for the transmission of his letters after him. The subject had not escaped his (the Atty. General's) attention, and he had already given the necessary instructions to the detective officers at Toronto. But, in case of foul play, the less public discussion there was upon the subject, at present, the better. (Hear, hear.)

REPRESENTATION OF THE PEOPLE.

Hon. Attorney General CARTIER asked leave to introduce a Bill "respecting the Representation of the People in the Legislative Assembly." He explained that the object of the Bill was to provide for the division of the Cities of Quebec, Montreal and Toronto, into Electoral Districts, corresponding with the number of members returned by each, and to apply the Electoral Laws to each separate district. It was not proposed to make any change in the number of representatives.

Hon. Mr. BROWN asked if there had been any petitions for the Bill?

Hon. Attorney General CARTIER replied that there had not been any.

Hon. Mr. BROWN saw no necessity for the proposed change if the people themselves were satisfied.

Hon. Attorney General CARTIER said, the population of each of these Cities was increasing largely, and the proposed change would greatly diminish the inconvenience arising from the members being elected by the whole of the voters. It would also remove an anomaly which would be apparent in two or three years, when one half of the City of Montreal would itself return a Legislative Councillor.

Hon. Mr. DORION complained that the effect of the Bill would be to disfranchise the whole of the Irish and French Canadians of Montreal, and that one of the proposed Districts would not have voters in anything like the same proportion to the other two.

Hon. Mr. CARTIER showed that the effect would rather be to give to both Irish and French Canadians the choice of their own member. In reference to the second complaint of the Hon. member, he also showed that that District returned an equal number of representatives to the City Council with the other two, and that it contributed nearly as much to the revenue of the City as the other two put together.

Hon. Mr. LORANGER was, at first sight, in favour of the Bill, whose effect would be not to disfranchise either Irish or French Canadians, but to give one representative respectively to the French Canadians, the Irish and the English population.

Mr. McGEE objected to the Bill being introduced without being read at length, and it being in the hands of the Law Clerk, this could not be done, and the Bill was withdrawn for the present.

OTTAWA SURVEY.

Mr. W. F. POWELL moved for the printing of the report on the Ottawa Ship Canal. It was strange that the Government, after spending a great deal of money on the project, should hush the matter up. The report went to place the Ottawa route in a more favorable light than it ever had been before, and the ascertained results should be submitted to the country.

Hon. Mr. ROSE said, the report was accompanied with maps and plans, and it had been his intention to have the whole printed in the Public Works report. The map was in the hands of the engraver. The whole would be printed, of course.

The report was then referred to the Standing Committee on Printing.

INTERNATIONAL BRIDGE COMPANY.

The Bill (from L. C.) to amend the Act Incorporating the International Bridge Company, was read a first time.

SPEAKERSHIP OF THE "COUNCIL."

The Bill (from L. C.)—to allow the Legislative Council to elect its Speaker, was read a first time.

BANK OF ISSUE, OR TREASURY DEPARTMENT.

Hon. Mr. GALT.—Mr. Speaker, in rising to move the formal motion, that, on Friday next, the House do resolve itself into a Committee of the Whole, to consider the Resolutions already in the hands of Hon. members, on the subject of a Treasury Department, I have to solicit the patient and indulgent attention of the House, for I feel that this, like other topics, it has been my duty to submit, is rather of a dry nature; and as I do not see the Hon. senior member for Toronto in his place, while awaiting his coming, I will read the Resolutions. (Mr. Galt proceeded to read, and before he had finished, Mr. Brown had taken his seat.) In giving notice of these Resolutions, I advisedly used the term "Bank Issue," in order to give the country some idea of the object contemplated, but as the Government have no intention of establishing a Bank, in the ordinary acceptation of the term, the more appropriate title of Treasury Department has been adopted. The measure can hardly be regarded as a political one, since it must be the desire of Hon. members on both sides of the House, that our money circulation should be placed on as secure a basis as possible, and be as little exposed to those fluctuations which occasion the greatest inconvenience to the trade of the country. If there ever was a measure of importance, and one requiring calm and temperate consideration, submitted to Parliament, I think I may claim that this is the one, and I therefore ask Hon. members to give it their candid attention. The Government is, of course, bound to take the responsibility, but I am well aware that there are Hon. gentlemen on both sides, whose experience in matters like the present, will be of great service in perfecting the measure, and I trust it will be generally afforded. If I were submitting a purely party proposal, I would not ask, or feel that I had a right to ask the aid of Hon. members opposite, but when the object is to put the currency of the country upon a perfectly sure and safe footing, by separating it from the Banking interest, and removing it from the possible suspicion of being affected by political exigencies, however urgent, I have no hesitation in soliciting the co-operation of those who may be able to render it with effect. Up to this time, in Canada, the paper money circulation has been created and controlled by the Chartered Banks, and the idea has widely obtained that there is a necessary connection between banking and currency, but this is simply a misapprehension; for the currency of any country is, of all things, the one

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Quebec, March 27, 1860.

BANK OF ISSUE, OR TREASURY DEPARTMENT.

(Concluded from our last No.)

most properly belonging to the State, and in this respect there is no difference between paper money, and gold, or silver coin, which latter, every one admits, it is the business of Government to watch over. I have the greatest pleasure in stating my conviction, that no banking institutions have, on the whole, been better managed than those of Canada, and that it is to their wise management, that we owe the soundness of our paper currency, but circumstances have arisen, which show that this result was entirely due to this good management, and not to the system upon which the currency is created. The currency, whether composed of paper representing the precious metals, or of the precious metals themselves, belongs to the State, and it is for the State to protect it, and to fix its value; but, to the present, our paper currency has been altogether dependant upon the Banks, and its soundness has been due to their solvency. I will not say much on the subjects of the two Banks that failed last fall, for the circumstances are fresh in the recollection of the House, and happily the damage has not been very great, yet these failures sufficiently show the necessity of guarding against the recurrence of such disasters; for their repetition, especially if a large Bank should go down, will destroy public confidence. I hold, then, that it is as imperative upon the Government to watch over the paper circulation, and to ensure its soundness, as it is to prevent the coin circulation from being alloyed. It is a great advantage to the country to have a paper money circulation, for there is a constant loss by depreciation in coin, and it is wholly unproductive, but let the paper currency become the subject of suspicion, and at once it returns to the place of issue. I am satisfied, however, that if such a condition of

things were to arise now, the demand for specie would be much greater than the amount in the country. This would, of course, put an end to much of the business carried on, and effectually prevent us from bringing out our crops, and other resources. There is a marked distinction between banking and currency. The banks receive money from the public in deposit, and employ it in loans, or they are proprietors of the capital themselves, and loan it for their own profits;—in either case, the currency by which these transactions are carried on, belongs to the State, and not to the capitalists. I propose to separate currency from banking, but it is not my purpose to diminish the business capital of the country, and I will not shrink from saying, that, if I conceived the passing of the Resolutions would have that effect, I would hesitate before passing them. I know we want all the capital now employed in business in Canada, and that the decrease of it would be attended with deplorable results, but I hope to satisfy the House that these Resolutions will not have that effect; on the contrary, that they will tend to make it more available than it is at present. With regard to the simple question of Currency, I hold, as an abstract principle, that if the State supplies the credit, it is fairly entitled to the profit that may arise from its use. Paper Currency represents, in fact, the credit a people give to themselves for their ordinary transactions, and, if so, then they are entitled to all the advantages that can accrue from it, just as they would be to the profit from the discovery of a gold mine. But as the Legislature has created the Banks, and, by granting them certain privileges, has induced people to invest their money in them, it would not be just or proper to deprive them of these advantages; hence the measure I offer does not compel the Banks to become parties to it while their charters last, but I believe the inducements it tenders, will lead them to acquiesce in its provisions. They will probably find it their interest to do so. It must be evident to every Hon. member, that the specie resources of the Banks are so much capital kept unproductive, and to

that extent produce loss of profit. And while the present system lasts, it will be necessary that each Bank should keep not only a sufficient reserve of specie to protect its own circulation, but to a certain extent that of the others.—Under the system I propose, this necessity will, in great part, be obviated, for the whole resources of the country will be pledged for the redemption of the circulation. It is well known that the most careful Banks, often feel the necessity of protecting themselves against the improvidence of others (Hear, hear, from Mr. John Cameron) and that if there had been a serious Bank failure last summer, it would have injuriously affected the credit of the rest, for the public is not at such times able or disposed to discriminate the evidences of stability. It is thus that the panics are created. I do not here intend to reflect upon any one of our Banking Institutions, but I wish to show that certain causes are always followed by certain effects. I will not occupy the attention of the House, with the opinions of the many eminent men who have written upon the subject of Currency, for although we may derive much instruction from their works, yet the circumstances are not exactly the same, as those existing under our Provincial system. In 1842, Sir Robert Peel held that, to protect the country from wild speculators, it was necessary to curtail the circulation at certain periods, but experience had shown that his plan produced results, not anticipated by him, and that, in fact, serious difficulties ensued from it. Government had to step in to ward off the danger, and the only effectual mode was by the suspension of the very Bank act which, it had been thought, would prevent it. The circulation, under the act was £14,000,000, issued on the authority of Government, and made legal tender by that authority, and every pound above that sum was to be secured by a corresponding amount in gold. Thus, when gold was withdrawn from the Bank, the circulation had to be reduced, and, of consequence, the accommodation to its customers had to be reduced also, by the refusal of discounts. Now the business of Great Britain could not be carried on without a certain amount of circulation; and the moment it fell below that certain amount, gold had to be taken from the Bank. If money was wanted for the importation of wheat, or the payment of exchange balances to foreign countries, which require a contraction of the paper circulation, followed by an immediate demand for sovereigns to replace the notes withdrawn, and thus increasing the drain upon the Bank, and aggravating the evil, there was a drain of bullion for India, and the difficulties which Mr. Wilson, now Chancellor of the exchequer for India, had predicted as the results of Sir Robert Peel's system, were realized to the letter—the Government had had to come forward and interfere with the Bank act, and so soon as the restrictions were removed, but not before, gold commenced to flow back again, for the people had full confidence in the Bank's notes, and thus the circulation went out, and credit

recovered. Now I see that it would not be desirable for us to follow this example; I think that the circulation of the country, should be kept entirely separate from its commercial relations, and that the public should have as much money as they really want, with the assurance that it will be always convertible into specie, and that the security of the whole country will be bound for its redemption. Under the plan I propose, unless the country goes into Bankruptcy, the obligations will hold good—the Provincial note being redeemable on demand (hear.) There exists a grave misapprehension in many minds as to the power of the Banks to expand their circulation at will. They may, by giving credit to parties and supplying them with notes, produce a temporary expansion; but, in the end, it is fraught with danger and trouble, for the notes soon come back again, when they may not be prepared to meet them. It is impossible to keep out more paper money than is required to carry on the actual business, which the country is doing at the time, and any attempt to force a business not really wanted must of necessity result in disaster. No evil could arise from the extent of a paper circulation, readily and properly redeemable in specie, but there is danger in giving stimulus to branches of trade for the production of goods not required for consumption, or at prices not warranted by those of the markets for which they are intended, yet such errors are constantly being made, with the unavoidable consequence that there are no proportionate returns—on the contrary losses. The real check to the periodical tendency to overtrading, over production, and over speculation, is by putting up the price of money, when an inordinate demand for it arises, and that will effectually deter men from going into wild and dangerous enterprises. (Hear.) The House will remember that whenever the subject of Banking has been in question, reference has always been made to the propriety of having small Banks in every part of the country, and I will not deny that if we could have sound Banks of that class, it would be an advantage, but the failure of a very large number of such institutions in the United States, should be a warning to us. These Banks failed, because, in their desire rapidly to obtain a large circulation, they encouraged speculations, which, in the end, proved unwise, and their notes came back upon them when they were unprepared. They could not get back the advances they had made for the erection of mills, that proved useless, or, at any rate, unprofitable; in view of the amount spent upon them; the property fell in value, and the result was ruinous. The same results would have followed in Canada, if our Banks had been deceived into granting aid to all the projects which were started, but they were more prudent, and besides, they had a large paid up capital of their own, and considered the profit from their notes, only as auxiliary. I wish the country could be made clearly to understand the difference between a fixed and a floating capital, for in the absence of correct apprehen-

sions on this subject, dangerous mistakes are often made. The distinction is strongly marked, and cannot be too strongly stated. Floating capital is that which is constantly employed in the business of producing somewhat, and from which it is as constantly periodically returned, while fixed capital is that which enters into the construction of railways, mills; steamboats, houses, &c., &c., and from which only a limited rate of interest can be expected. On this point, I desire to place before the House the very excellent and strikingly appropriate remarks of a gentleman, to whom I have already referred (Mr. Wilson.) I wish they may go to the country, for they apply with peculiar force to Canada just at present. Mr. Wilson remarks:

"It is quite clear that no community can, without the greatest inconvenience and derangement, increase its fixed capital faster than it is able to spare labor from the production of those commodities in which the community depends for its daily subsistence."

* * * * *

"The moment we begin to build houses, to make roads, or to improve navigation, however much they may add to the facilities of future reproduction, while there is the same consumption of bread, meat, clothing, tea, sugar, &c.; there is no immediate reproduction of these commodities, or of anything that exchanges for them, however good or profitable such works may be, as far as the interest or rent is concerned which they yield. It is, therefore, clear that they cannot be undertaken, except with the surplus provisions, or capital which is left over and above the quantity required for regular reproduction, and that this quantity must always limit the power of a community to increase its fixed capital."

"It is, therefore, not difficult to see that it becomes a most essential thing to the continued prosperity of the country, that its floating capital, on which the continued reproduction of commodities of every day use depends, as well as the continuous employment of labor, should not be withdrawn from those necessary purposes, and converted into fixed capital, as a greater degree than the surplus accumulation of the country will admit."

* * * * *

"It is quite true that, for a time, while the process of the conversion was proceeding, there would be a momentary appearance of great prosperity. * * * * But the ultimate effect of such a disturbance of misdirection of the floating capital of the country must be to create a great scarcity of it, which will be evinced by the high rate of interest, and ultimately a great diminution in the demand for labor, in consequence of the exhaustion of the fund on which it depends for continuous support."

I agree most fully in these remarks, and believe that the depression and distress which have prevailed in the Province for over two years are due, not so much even to the failure of the crops, as to the withdrawing from business for invest-

ment in mills, houses, lands, &c., of too large a proportion of our capital, and until this is well understood, the mistake may be repeated. It is, of course, true, that in a new country like this, investments of this nature must be made to a much larger extent than in old established communities, where all the necessary facilities for carrying on business are in existence, and hence there must be in new countries a constant demand for foreign capital, at a high rate of interest. If we had not to make such outlays, we would soon have a large floating capital, and money would be cheap, for the surplus product of our labor is much larger in proportion than that of England; but what with opening new roads; building factories, &c., &c., we must, of course, run short of cash. However, as we have now provided these facilities for business, to the full extent, at least of our present wants, we may hope that for some time our accumulating wealth will be available for purposes of industry and commerce. (Hear.) Returning to our Banking Institutions.—everybody knows that when business is prosperous, money is easy to get; but prudence requires that we look at what may be the case in adverse times. It is natural for the Banks, in good times, to desire to expand their circulation, and for this purpose they freely discount, but whenever they foresee commercial difficulties approaching, their first duty is, of course, to protect themselves, and to provide for all possible contingencies. We are not situated here as in England, where the deposits of the Banks far exceed their capital; here they are smaller, and though not likely to be drawn out in a hostile spirit, yet the depositors require to make us of them, and this is especially the case, when the circulation is coming in fast, for, as that is in the hands of the public, the flow inwards cannot be prevented. In 1857, there was a panic in the United States, and our Banks felt that so soon as the New York Banks suspended, they would be placed in critical circumstances, for their notes were likely to be brought up and returned to them for specie. Yet, at that very time, it was all important to Canada that the Banks should be liberal, for the crops of the year had to be brought out, and it could not be done without money. They, however, felt the greater necessity of protecting themselves, and it was five or six weeks before they could give the accommodation that was required. This deferred the business until so late in the season that great losses ensued. Regarding the matter of currency as a theory, I have already said, that whatever profit may be derived from it, should belong to the State, and that in its aspects towards the public safety, it would be better that it should be separated from all commercial relations; that the Banks should take and hold just as much as they pleased, and that they should be left to dispense the amount required by the public wants. The Hon. member for Lincoln was always a great advocate of the Free Banking Act, and as Hon. members know, he held as a principle, that the paper currency should be secured by the deposit of Government

securities. Now, this was nothing more than attempting to do, by a side wind, what I propose to do directly, and the security he required was not equal to that which I suggest.

Hon. Mr. CARTIER—No, for we propose the security of the whole country without division.

Hon. Mr. GALT—And without the danger of Government mismanagement for political purposes. The holders will have the security of Debentures, with the additional guarantee that, in times of crisis, they will be always and readily available. There would be a serious objection to the scheme if I proposed to reduce the business capital of the country; and if I could not show that, I will leave it in at least as good a condition as at present; but I am satisfied that my plan will not only do this, but will in effect, increase the facilities for obtaining money. And if I can show this, as I think I can, I shall have proved that it is the best possible policy the country can adopt. I propose that for the Treasury notes the Banks will receive their pay in one-fifth in specie, one-fifth in Government securities, and that the remaining three-fifths be a privileged debt upon their Assets,—the votes to be furnished to them at a specified rate of interest, and the issue not to exceed half of their paid up capital. To show the facilities afforded by the Banks during the last three years, from which may be inferred what the country requires, I will give the average of circulation for that period, and the way in which it was secured.

Circulation,	\$9,494,677
Specie,	2,422,153
Govt. Securities,	2,460,155

Hon. Mr. BROWN—What were the amounts in 1859?

Hon. Mr. GALT—The Bank of British North America was then only brought under the operation of our law, and that makes a difference in the average. In 1859, the items were as follows:—

Circulation,	\$9,386,644
Specie,	2,872,372
Govt. Securities,	3,041,803

The deposits not bearing interest, give during the three years an average of \$6,297,000, and in 1859 \$7,136,000. The amount of capital paid up to 31st Dec., 1859, was 23,860,045; therefore, it followed that if the Banks had kept out a circulation equal to half of their capital, it would have amounted to nearly \$12,000,000; but the average so kept out was under 3,500,000. Again, if the whole liabilities of the Banks were consolidated into one amount, the security required from them would really be less than what they give to the public at present. If the plan I propose be adopted, the Banks, instead of keeping \$3,000,000 of specie idle, and \$3,000,000 more in securities also idle, and not very productive, would only need to have \$2,000,000 in specie, and a similar amount in securities deposited with the department—that is, supposing the circulation to be \$10,000,000—thus no less than \$2,000,000 of capital would be disengaged for business purposes, more than is

now available. And the amount of security I name, I consider quite sufficient, for in May 1858, when the circulation was at the lowest, it was not more than \$2,000,000 less than the average of 1859; which showed that even at the height of the panic, not \$2,000,000 of notes had come in. I hold then that a reserve of one-fifth in specie—that is, \$2,000,000—would be quite sufficient for all practical purposes, even in times of panic. I will now advert to the proposal of Lord Sydenham in 1842,—to create a Bank of Issue, for from the fact of my using the same title for my scheme, some persons have thought it was identical with that of that celebrated statesman, but no two things could be much more unlike. The Sydenham plan was, that the Bank of Issue would make loans to the other Banks upon discounted bills, and was to be both a Bank of deposit and discount, which would have given it an immense political power. This I do not desire, and I hold that the Executive should not, in any way, control the business of the country, but should allow its commercial men to manage it in their own way. The 1st Resolution is to the effect that no paper money shall be issued, except on the security of the whole Province, and in this resolution the whole principle of the scheme lies. The Government I hold is bound to see that what passes for money is really money, whether it be paper, gold or silver; and, for the reason that it will not permit coin to be alloyed, for the same reason it should not permit paper money to circulate, unless fully and perfectly secured. The other resolutions are mere matters of detail, which, if necessary, may be modified. If this principle be adopted, I venture to affirm that there will be no paper currency in the world so sound as that of Canada. Then it will be impossible for the poor industrious man to lose his all, at one sweep, by the failure of such concerns as the Colonial and International Banks. The 2nd Resolution provides that the notes will be a legal tender, and of course they could not be made so unless they were redeemable in specie. In this resolution the same terms exactly are employed as in the Charter of the Bank of England. This will save a great deal of trouble in a variety of ways which I need not dwell upon. The Treasury Department would be in fact a paper mint, instead of a mint for coining gold. The facilities the plan offers to the Banks are very great, and I have little doubt that when they have fully considered them, they will concur in what I say, and find it to their advantage to accept the alternative of placing themselves under its operation. The plan will also enable us to pay our dividends in England as they become due, for as the Receiver General will get exchange from the Banks for their balances, he will be able to remit and draw, and thus the Commission on Exchange now paid to the Banks will be saved. For that purpose, and for that only, the Treasury Department will keep an account with the Receiver General. It will also keep, of course, an account with the Financial

Agents of the Province, in England, and with the Banks in Canada, through whom the issues will reach the public, but with no other parties whatever.

Hon. Mr. CAUCHON—The scheme should provide for the want of increased capital.

Hon. Mr. GALT—So it does, but we must establish a maximum of circulation to be issued on the ordinary terms. I have placed it at \$10,000,000, which is more than the average Bank circulation has attained during the last three years; and as not less than £2,000,000 now locked up will be thus freed, I think the limit is a proper one. A credit on the Financial Agents, of \$2,000,000, will be given to the Treasury Department—not that it is likely to be required, but as a measure of security,—so that it will have specie, \$2,000,000; Government Securities, \$2,000,000; and a credit \$2,000,000—in all \$6,000,000 against a circulation of \$10,000,000. The object of this credit will be to satisfy everybody that in case of need the Department may sell exchange in New York, and within 48 hours supply itself with any amount of gold that may be required. With respect to the mode of management, that was a matter to be discussed in Committee, but at any rate it should be free from Executive control, and the managers could not be removed except upon an Address of both Houses. In this regard they would be like the Judges, and no doubt, would discharge their duty, as faithfully as the Judges do theirs, who, by general consent, are above suspicion. The 3rd Resolution does away with the Free Banking Law, and the Banks now working under it may come under the general Law. Banks that have been chartered, but that have not yet commenced operations, will not be allowed to issue notes, but will be allowed notes on the same terms as the existing Banks: but if not in operation within two years from their date, will be repealed, and I am sure this clause will commend itself to the House, for it is well known that such Charters have actually been for sale in the market. I have shown the average circulation of our present Banks for three years and one year, but circulation expands and contracts at different seasons. Thus, in 1859, it was in

May	- - - - -	\$8,122,000
June	- - - - -	8,649,000
July	- - - - -	8,548,000
August	- - - - -	8,594,000
September	- - - - -	9,921,000
October	- - - - -	11,236,000
November	- - - - -	10,795,000
December	- - - - -	10,659,000

To meet these fluctuations, I propose to supply the Banks with notes in amounts based on the monthly instead of the yearly average, as they will be wanted, only not exceeding, on the average of the year, the amount of half their paid up capital. As a check upon the disposition to overdo business, I intend to charge 1 per cent. interest additional on the notes in excess of the annual average to which the Banks may be entitled, whenever the monthly average may be in

excess of the point of security—one-half their paid up capital. Instead of saying, as in the Resolution, from 3 @ 4 per cent. upon the notes, I propose to substitute "a rate not exceeding 4 per cent."

Hon. Mr. BROWN—How will the Banks do, in May, for instance. Will they have to pay back?

Hon. Mr. GALT—Certainly, it will be their business to reduce their credit to the established rate. The Department will have no interest in the extent of their circulation, and of course, at the end of the month they would have to pay back any excess.

Hon. Mr. CAUCHON—Will they have to pay interest?

Hon. Mr. GALT—Yes, upon their balances, from time to time. Another provision is that the Department should keep specie in its vaults. It is proposed to have two branches—one in Upper and one in Lower Canada. The Chartered Banks authorized to increase their capital, will, of course, be entitled to a proportionate increase of notes. I had thought of providing for the commencement of operations on Jan. 1st, 1861, but perhaps this may be a little too soon, and a somewhat longer delay may be necessary for preparation. To enable the banks to withdraw their own circulation, they will be entitled to receive Treasury notes, but only to the extent of their own withdrawn. I do not believe there are any insolvent banks in Canada, still I have provided that it will be in the power of the Government to decide whether any one bank may come under the arrangement—just as it is optional with the banks themselves to do so or not.

Hon. Mr. BROWN—Supposing a Bank gave security in specie of \$500,000, the same in Government Securities, the other two-thirds would be secured only upon their Stock, which might be doubtful?

Hon. Mr. GALT—I do not think it would be right to be inquisitorial, for the advances would only be for 15 per cent. of the capital of the Bank, and such a Bank's Stock would have to be at 85 per cent. discount before it ceased to be adequate security.

Hon. Mr. BROWN—Supposing a Bank became insolvent?

Hon. Mr. GALT—It will be for the Law Officers of the Crown to devise the procedure to be pursued in such a case. With regard to a Bank wanting more than its proportion of notes, it will have to pay for them in specie or its equivalent. The Resolutions also provide that the circulation tax shall be withdrawn, and the Government Security clause repealed. With these provisions, I think the Banks will be fully as well placed under the scheme, if not better than they now are, for their circulation costs them with tax, plates, clerkage, &c., about as much as they will pay; and besides, they will be relieved of all anxiety in times of pressure. Then the Treasury Department will have liberty to issue Exchequer Bills, bearing not over four per cent. interest, which, parties requiring to

make temporary investments, would much prefer to Debentures. In conclusion, I would remark, that the plan will greatly facilitate Bank balances, and tend to establish more uniform rates of Exchange.

Hon. Mr. BROWN—Have you made any calculations as to the probable profits?

Hon. Mr. GALT—Why, \$6,000,000 of Bank notes, at three per cent., would yield £45,000, less the circulation tax, the expenses of plates, and management.

Hon. Mr. BROWN—What would the Directors get?

Hon. Mr. GALT—Two only will meet every day, and they will be paid a small sum for their attendance.

Hon. Mr. BROWN—What will the Manager receive?

Hon. Mr. GALT—(Laughing)—Not more, I suppose, than a Cabinet Minister.

Hon. Mr. BROWN—Who will appoint the manager?

Hon. Mr. GALT—The Government. I had forgotten to say, that for convenience, sealed packets of notes may be deposited in the Banks, which will only be held to have gone into circulation after they have been opened. This is the practice of the Banks with their Branches. I have now gone over the chief features of the scheme, which are: First—Perfect security to the public, with respect to the paper money that will come into their hands. Second—To provide for this benefit without injuring commerce, but, on the contrary, giving it increased facilities, and Third—That the Department will be removed from the possibility of becoming an engine in the hands of any political party whatever, against the interests and liberties of the people. (Cheers.)

Hon. Mr. BROWN thought the Hon. member to whom he had listened with the greatest attention, had entirely failed in giving good reasons for so serious a proposal as he had made, to disturb the present well working monetary institutions of the country. There was an adage, that it was "wise to let well alone," which he thought had better be followed in this case. Though the proposed Department was restricted to two places, it would soon extend over all the country, and as Government should only do what they can do better than anybody else, he thought the people would not thank them for this measure.

Mr. CAMERON had listened with much satisfaction to the lucid explanations of the Hon. Minister of Finance. He thought the scheme would benefit trade and would be generally approved by the country, when thoroughly understood.

Hon. Mr. CAYLEY had no apprehensions that the circulation of the country would not be amply provided for under the proposed system. The circulation of money did not increase with the business or population of a country. The circulation in England was less now than it was ten years ago. Barely three per cent. of all

payments, in England, were made in notes or coin. He approved of the bill, and had no doubt it would work satisfactorily.

Mr. POPE thought the proposed scheme would interfere materially with the existing banks of the country. The effect would be to reduce the circulation. The present banks worked well, and their notes were already as good as specie. If this scheme were carried out, and did not work well, there would be no remedy for it.

The motion was then carried, and the House agreed to go into Committee on Tuesday next, instead of Friday.

CONSOLIDATED STATUTES.

On motion of Hon. Atty. Gen. CARTIER, the bill respecting the Consolidated Statutes of Lower Canada received a second reading, and was referred to a Special Committee.

The House then adjourned, at twenty minutes past ten.

LEGISLATIVE COUNCIL

Quebec, March 28, 1860.

Hon. Mr. Speaker took the chair at 3 o'clock.

ST. ROCH'S SAVINGS' BANK.

Hon. Mr. LATERRIERE introduced a Bill to appoint Commissioners to enquire into the management of the Savings' Bank of St. Roch's, Quebec.

The Bill was read a first time.

SAFETY ON STEAMBOATS.

The Bill to provide for the Safety of Passengers on Steamboats, was read a third time and passed.

OVERHOLDING TENANTS.

Hon. Mr. PATTON moved for the second reading of the Bill to provide for the extension of the jurisdiction of County Courts in Upper Canada. The object of the Bill was to provide for the turning out the Overholding Tenants. At the present, this could only be attained by the Chief Justice Act 4, Wm. IV., and the Act of Ejectment. Both of these were tedious and expensive modes. Yet, be the rent ever so small, the landlord had no other remedy. The Bill provided that all such actions where the rent did not exceed \$60, should be tried before the Judge of the County Court. The Bill did not give the Judge any power to try the title to real estate.

Hon. Col. PRINCE had great pleasure in seconding the Bill. It was the infusion of a new principle into the jurisdiction of the County Courts. As a general thing, the Judges of the County Courts were men of ability, and well fitted to discharge their new duty. The Bill would prove to be a great boon to the community, and he hoped that it would be allowed to be read a second time.

Hon. Mr. BOULTON approved of the principle of the Bill, and thought that it might go further than proposed. The amount of rent, he thought, ought to be advanced to \$100, not \$60.

Hon. Mr. VANKOUGHNET had no objection to the Bill. It would enable the landlord to recover possession of his property sooner than he could do at present, at the same time it did not confer on the County Court Judge, the power to try questions regarding Titles to Real Estate.

The Bill was then read a second time, and referred to a Select Committee of Hon. Messrs. *Vankoughnet, Prince, Boulton, Campbell*, and the mover.

VERDICTS OF JURIES.

Hon. Mr. PATTON moved for the second reading of the Bill to provide for the return of Verdicts in Civil Causes, although the Jury should not be unanimous. He said that this was the fourth time the Bill was brought under the consideration of the House,—and the arguments in its favor were so strong, and the arguments against it so weak, that he would not trespass on the House beyond moving the second reading.

Hon. Mr. VANKOUGHNET said that, in his opinion, the arguments against the Bill were so strong, and the arguments for it so weak, that neither would he trouble the House with any remarks. He would simply vote against it. He was confirmed in his opinion, because all the Justices in Upper Canada were opposed to the principle of the Bill.

Hon. Col. PRINCE spoke in favour of the Bill. The system had been tried in other countries and bound to succeed.

Hon. Mr. VANKOUGHNET remarked that all the arguments in favor of applying the principle to civil cases, would apply much more strongly to have it applied to criminal cases.

Hon. Mr. CAMPBELL, although he had advocated the Bill on former occasions, would vote against it now, as he had since found out that the feeling of the legal profession of Upper Canada was against it.

Hon. Mr. PATTON suggested that there was no hope that the Judges of the Superior Courts of Upper Canada would ever approve of the principle, they were so attached to precedent and custom. But some of the County Court Judges were in favor of it. The Judges in England were also in favor of the principle.

The House divided on the motion for the second reading, which was carried.—Contents, 19, non-contents, 10.

Hon. Mr. PATTON moved the House into Committee of the Whole on the Bill.

The House resolved itself into Committee of the Whole—Hon. Mr. Morris in the chair—and reported the Bill without amendment.

The report was received, and the Bill ordered to be read a third time to-morrow.

MONTREAL MECHANICS' INSTITUTE.

Hon. Mr. FERRIER moved the consideration of the amendment on the Montreal Mechanics' Institute Bill.

The report was received, and the Bill ordered to be printed as amended.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Wednesday, March 28th, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the British American Manufacturing Company.—*Mr. Abbott.*

BILL to authorize the Corporation of the City of Montreal to acquire ground for the purpose of erecting a Terminus for the Grand Trunk Railway of Canada.—Hon. Mr. *Dorion.*

BILL to regulate the fees paid to Coroners for holding Inquests, and for enquiring into the causes of Accidents by Fire.—*Mr. Wallbridge.*

BILL to remove certain obstructions to the navigation of the River Jesus, and repeal certain clauses of the Acts 10th and 11th Vic. Caps. 97 and 98.—*Mr. Abbott.*

BILL to abolish the Right of Appeal to Her Majesty in Privy Council.—Hon. Mr. *Dorion.*

BILL (from Legislative Council) to make provision for the Safety of Passengers by Steamboats.—*Mr. John Cameron.*

REPEAL OF DUTY ON BOOKS.

Hon. Mr. BROWN moved that the House go into Committee of the Whole, to consider the expediency of repealing the duty on books.

Hon. Atty. Gen. CARTIER said the motion was unnecessary, as the Government intended to ask the House to repeal that duty.

THE RECIPROCITY TREATY.

Mr. AIKINS moved an Address to His Excellency, asking for copies of all the correspondence in reference to the Repeal of the Reciprocity Treaty.—Carried.

COMMON SCHOOLS.

Mr. AIKENS enquired of the Government whether they intended, during the present session, to alter or amend the Common School Act of Upper Canada, or to change the mode by which Grammar Schools are maintained.

Hon. ATTORNEY-GENERAL WEST replied that enquiries were now being made on the subject, but were not yet completed.

TIMBER LICENSES.

Mr. PAPINEAU moved an Address to His Excellency, for a return, showing the quantity of land licensed in each County, for cutting wood and saw logs; the description and extent of each limit, and the quantity cut thereon, the names of the holders of the licenses, and the amount of Timber dues on each license for the years '57, '58 and '59.—Carried.

GRAND TRUNK TERMINUS AT MONTREAL.

Hon. Mr. CAMERON moved for copies of all papers and correspondence relative to the proposed Terminus of the Grand Trunk Railway at or near the Lachine Canal, in the City of Montreal.—Carried.

AGRICULTURAL GRANTS, &c.

On the motion of Mr. MACDOUGAL, Returns were ordered of the amount of public money annually granted to Agricultural Societies in Up-

per and Lower Canada respectively, since 1850; of the amount annually raised or contributed by such Societies in each Province, as the basis for the public grants; of the amount annually granted to the Boards of Agriculture in each Province, shewing clearly the several objects for which the same has been expended; and of the amounts annually expended by the Bureau of Agriculture since its establishment, showing the proportion expended on Agricultural objects.—Similar returns were, at the same time, ordered from the Boards of Arts and Manufactures.

EXTRADITION OF MARSHALL TYLER.

Mr. DUNBAR ROSS moved an Address to His Excellency, for copies of all correspondence between the Canadian Government and the Government of the United States, respecting the extradition of Deputy U. S. Marshal Tyler, charged with the felonious shooting of Henry Jones, in the Port of Sarnia, in November 1858, and of all documents connected therewith.—Carried.

ORDNANCE BRIDGE—RIDEAU CANAL.

Mr. TETT enquired of the Government, if it was their intention to repair or re-build the Ordinance Bridge across the Rideau Canal, at the Isthmus, and if not, why not?

Hon. Mr. ROSE said the Government would, in future, undertake the maintenance and repair of that work.

IMMIGRATION TO CANADA.

Hon. Mr. LORANGER moved for a Committee to take into consideration, of the expediency of inviting Emigration from France, Belgium, and Switzerland, to Canada, and the best means of attaining that object; with power to send for persons, papers and records,—to be composed of Hon. Messrs. *Morin, Scotte, and Dorion*, and Messrs. *Turcotte, Chapais, Laberge, Langevin, Dunkin*, and the Mover.—Carried.

ADULTERATION OF FOOD AND DRINK.

Mr. DUNBAR ROSS moved, that on Monday next, the House resolve itself into a Committee of the Whole to consider the following resolutions—That it is expedient to impose certain restrictions on venders of articles of food and drink, with a view to prevent the adulteration thereof. That it is expedient to appoint Inspectors of articles of food and drink, and to provide for the expenditure thus incurred, by subjecting manufacturers and retailers to a tax of — shillings; on payment of which, a license may be granted.—Carried.

SUB-DIVISIONS OF LOWER CANADA.

Mr. LABERGE moved an Address to His Excellency, for a list of the subdivision of Lower Canada into parishes and townships, since 1853.—Carried.

PETITION FOR DAMAGES.

Mr. HARCOURT moved for a Special Committee to enquire into the Petition of *Barton*

Farr, of the County of Haldimand, praying compensation for damage to his property, caused by the construction of a dam across the Grand River at Dunville.

Hon. Mr. ROSE said, that at the time of the construction of the dam, the predecessor of Mr. *Farr* had received a sum sufficient to cover all prospect of damages. But, if there had been any claim, it was now too long after the damage to make application; the time was limited to one year.

Hon. Mr. BROWN asked how many claims had been settled this year.

Hon. Mr. ROSE—From 460 to 480, and the amount claimed was some \$150,000; the awards rendered came to about \$12,000.

The motion was then withdrawn.

MONTREAL CORPORATION.

On motion of Hon. Mr. DORION, the matter was ordered to be brought into Committee of the Whole to-morrow.

BILLS IN COMMITTEE.

On motion of Mr. DUFRESNE, the House went into Committee on the Bill to Incorporate "Les Filles de Ste. Anne," of St. Jacques de L'Achigan.

The Bill was reported without amendment.

On motion of Mr. POPE, the House went into Committee on the Bill to Incorporate a High School at Compton, to be called "The Compton High School."

The Bill was reported without amendment.

PRIVATE AND LOCAL BILLS READ A SECOND TIME.

BILL to Incorporate the College of Three Rivers.—Mr. *Turcotte*.

BILL further to amend the Act Incorporating the Brockville and Ottawa Railway Company.—Mr. *Bell*.

BILL to incorporate the Art Association of Montreal.—Mr. *Dunkin*.

BILL to incorporate the Common of Berthier.—Mr. *Piché*.

BILL to legalize the proceedings of the Board of Notaries of the District of Kamouraska.—Mr. *Chapais*.

BILL to authorise the sale of St. Georges' Church, in the town of Gueiph, in the County of Wellington, the acquisition of another site in lieu thereof, and the raising money by mortgage on the latter, for the purpose of erecting a new Church thereon.—Mr. *Stirton*.

BILL to Incorporate the Ottawa Board of Lumber Manufacturers.—Mr. *W. F. Powell*.

BILL to declare the mode in which the side lines of the first concession of the Township of Cumberland, in the County of Russell, shall be run.—Mr. *Loux*.

BILL to amend the Act for the Incorporation of the International Bridge Company—(from the Legislative Council).—Hon. Mr. *Foley*.

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

Wednesday, March 28, 1860.

PUBLIC BILLS IN COMMITTEE.

On the motion of Mr. DESAULNIERS, the House went into Committee on the Bill to establish a standard weight for hay and straw (and amendments.)

The Bill was reported as adopted.

PUBLIC BILLS READ A SECOND TIME.

BILL to exempt Homesteads, and certain other property, under a certain value, from sale under execution.---Mr. *Daly*.

BILL to regulate the proceedings of Gas companies in Upper Canada, and for the inspection of gas and gas meters therein.---Dr. *Connor*.

BILL to prevent frauds in the Voters' Lists, and to prevent and punish bribery and other corrupt practices at elections.---Mr. *McDougall*.

BILL to regulate the time during which Apothecaries' and Druggists' Shops shall be kept open in the different cities of this province.---Mr. *Dunbar Ross*.

BILL to regulate the erection of houses and other buildings.---Mr. *Dunbar Ross*.

BILL to amend the Act intituled, "An Act further to secure the independence of Parliament.---Mr. *Dunbar Ross*.

BILL to diminish and regulate the Costs in Appeal.---Mr. *Piché*.

BILL for the better securing and protection of the rights of *baillleurs de fonds*, in cases of exchange.---Hon. Mr. *Sicotte*.

BILL to amend the law respecting the substitution of Affirmation for Oath.---Mr. *Clark*.

BILL to provide for the reduction of Law costs in the collection of Debts, and the abolishment of Imprisonment for Debt.---Mr. *McMicken*.

BILL to regulate the sale of Intoxicating Liquors in this Province.---Hon. Mr. *Cameron*.

BILL to legalize certain proceedings by Road inspectors and overseers.---Mr. *Bourassa*.

BILL to legalize the articles of certain Notarial Students.---Mr. *Gillie*.

BILL to amend Chapter 49 of the Consolidated Statutes of Upper Canada, respecting the Joint Stock Companies.---Mr. *Playfair*.

BILL to amend Chapter 58 of the Consolidated Statutes of Canada, as regards the investment of money by Insurance Companies.---Hon. Mr. *Ccyley*.

RIGHTS OF PERSONS MARRIED IN FOREIGN COUNTRIES.

Mr. DUNBAR ROSS moved the second reading of the Bill to regulate the rights of persons married in foreign countries, and emigrating therefrom to reside in Lower Canada. He said the object of the Bill was to allow persons married in foreign countries, to come under the laws of Lower Canada, after a twelve month's residence, if they desired the change.

Hon. Atty. Gen. CARTIER said he should oppose this Bill. Its effect, if carried, might be to place the parties to whom it applied beyond the reach of their creditors in the countries from which they came. It would throw all the husband's property, in case of his death, into the hands of his wife, leaving the creditors no claim upon it.

Mr. DUNBAR ROSS said his Bill was intended to establish a very important principle, and to avoid the difficulty of sending to foreign countries to ascertain the laws under which certain parties had been married: He should insist upon a second reading.

Mr. DUNKIN said it was no part of our public policy to compel parties married in foreign countries, to come under laws relating to marriage, different from those of the countries where they were married, and he would, therefore, oppose the Bill.

Hon. Mr. ROSE thought the Bill was an anomaly that could not be admitted. Why, it made a residence in Canada for 12 months, though the parties should remove and remain

for ever absent, subject, in respect to the distribution of their property, to the laws of the Province.

Hon. Mr. CARTIER moved that the Bill be read this day three months.—Carried on a division.

PROTECTION OF SETTLERS IN L. C.

Mr. DUNKIN moved the second reading of this Bill.

Hon. J. S. McDONALD characterized the Bill as a monstrous violation of private rights. His plan would be to leave such claims as it recognized to the adjudication of the Courts of Justice. He had no interest in the matter, but he could not help raising his voice on behalf of absent parties, and orphans, whom the Bill deprived of their property.

Hon. Attorney-General McDONALD was also opposed to the Bill, for, if it passed, no one would be safe in the possession of his property. However, he must remind his Hon. friend, that he was completely in opposition to his own doctrine of the Double Majority, for he was attempting continuously and systematically to force upon Lower Canada a legislation opposed to their wishes, this Bill having been for four years before the House. (Laughter.)

Hon. J. S. McDONALD denied that the Bill applied solely to Lower Canada, but, in fact, it applied to people in Upper Canada who owned lands in Lower Canada, and of others who resided abroad. The lands were in Lower Canada but the rights were elsewhere.

Hon. Mr. CAUCHON said, the member for Cornwall was for the Double Majority, or motions of Want of Confidence, or for stopping the Supplies, in fact, just when it suited his purposes. The Bill was not directed against private rights, but in their favour, and was intended to check the rapacity of speculators in lands, who allowed poor men to improve them for ten years, and then deprived them of both the land and their improvements.

Hon. J. S. McDONALD—Why did not Government adopt a similar principle with respect to the Public Lands?

Hon. Mr. CAUCHON—Government never expelled them, if they were willing to buy, they gave them the right of pre-emption.

Hon. Mr. FOLEY said the Hon. Atty. Gen. West, though opposing the principle, gracefully yielded to the majority of Lower Canada, and he (Mr. Foley) wished he would as gracefully yield to the continued and systematic wishes of the people of Upper Canada, and yield his place.—Then on the Single Majority principle, which he so strongly advocated, he should continue to oppose the Bill. But he (Mr. Foley) had always been in favour of the Bill, and he still believed it to be a righteous one, and would vote for it. Indeed, he would be glad to see a somewhat similar measure pass for Upper Canada, where it was much wanted and desired.

Mr. DUNKIN thought the Bill did not even go far enough, and he believed it might, very justly, go further in favour of the occupants.—

The Bill did not encourage squatters, but merely provided that where, in times past, parties had occupied for seven years, unclaimed lands, and improved them, they would be entitled to compensation, or at the option of the proprietor, be required to buy at its value, less the improvements.

Hon. Mr. SHERWOOD thought the Bill was bad in principle, for after seven years occupation, the settler upon lands, which did not belong to him, was entitled to receive, under the award of arbitrators, the value of his improvements, so called, which might be just the reverse of improvements, and in such cases, is was pretty well understood, the arbitrators would always be favourable to the squatter.

Hon. Mr. CAMERON could hardly have thought that a lawyer of the eminence of the Hon. member for Arthabaska, would have advocated so monstrous a violation of the rights of property. He (Mr. Cameron) had always advocated the claims of settlers upon the public domain, but, that, after that a man had paid for his property, he should be liable to lose it in the way proposed, was absolute robbery.

Mr. HEBERT supported the Bill, and said he had known settlers upon unoccupied private lands, who had been driven from them after they had given them additional value, to the extent of £500 and more. But it was wrong to say, the Bill encouraged squatting, for it only made provision for evils that now existed, and it in no way proposed to sanction the taking and occupation of other lots by new comers.

POLICE FORCE IN CITIES AND TOWNS.

Mr. WILSON moved the second reading of this Bill. The object of the Bill was to enable Municipal Councils, in cities and towns, to pass by-laws for the purpose of establishing and maintaining a fund from the salaries of the Police and other sources, for providing pensions and rewards for meritorious services, and for providing for relief in case of sickness. The Bill was copied from two or three Imperial Acts.

Hon. Attorney-General MACDONALD said, it seemed to him that this Bill was very just in its provisions. It, in fact, carried out in a small way, what had been often proposed, and attempted here, and which had been carried out in England. Whether the clauses of the Bill were so drawn as to accomplish the object, he could not say, not having been able to examine it with particular care. He was afraid, however, that, as the Bill proposed to create funds by taxation, as well as from the salaries of the police, it would have to originate in Committee of the Whole.

Mr. SPEAKER said, if any portion of the funds were to be raised by taxation upon the whole people, then the Bill must originate in Committee. If the taxation were purely local, this course was unnecessary.

Mr. WILSON said, rather than have the Bill defeated, he would strike out that portion of it relating to the appropriation of Municipal funds.

The SPEAKER said the Bill might go to Committee.

The motion was carried, the Bill read a second time, and referred to a Committee.

The House then adjourned.

LEGISLATIVE COUNCIL.

Quebec, March 29, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.
COUNTY COURTS.

Hon. Mr. PATTON presented the report of the Committee on the Bill to extend the jurisdiction of County Courts, with an amendment raising the amount of rent requisite to bring the action within the jurisdiction of the County Courts from \$60 to \$200.

The Bill as amended was concurred in, and ordered to be read a third time to-morrow.

VERDICTS IN CIVIL CASES.

The Bill to provide for the return of Verdicts in Civil Cases, although the Jury might not be unanimous, was read a third time and passed.

MONTREAL MECHANICS INSTITUTE.

The Montreal Mechanics Institute Bill was read a third time and passed.

ASSIGNMENT OF DOWER.

Hon. Mr. CAMPBELL moved the second reading of the Dower Assignment Bill. After the Bill passed last Session, giving to married women a right to dispose of their separate property, such a Bill as the present could not be objected to. By the present law a married woman was entitled to a third part of all her husband's real estate, after his death, no matter how much improved, and no matter in whose hands. This was manifestly unfair to the third party who had bought the property, and made the improvements, and the Bill provided that the widow should in such a case receive her Dower out of the unimproved lands of her husband, and if this was not possible, Commissioners should be appointed to value the improvements, and allow the widow her Dower, and protect the third party. It would be thus seen that the Bill did not propose to effect any change in the Common Law of England.

Hon. Mr. PATTON did not think that the Bill went far enough. He wished that the Law of England which had now been tried for twenty six years, and found to work admirably, should become the law of the Province. In England, except in a few cases, the right to Dower had been abolished altogether; and he hoped to see the day when it would be abolished altogether here also. Although in England there was no such law as we had here protecting the rights of married women, Dower had been abolished altogether. Therefore, there could be no good reason—especially as the Law of England worked well—why in Canada, possessing this

Law to protect married women, the example of England should not be abolished, and the right to Dower abolished altogether.

Hon. Mr. VANKOUGHNET would not agree with his Hon. friend as to the expediency of abolishing Dower altogether; but at the same time thought that there was no objection to the present Bill being read a second time and referred to a Select Committee.

The Bill was read a second time and referred to a Select Committee composed of Hon. Messrs. *Vankoughnet, Patton, Prince, Mills*, and the mover.

CONVEYANCERS' LIABILITY.

Hon. Mr. PATTON moved for the second reading of the Bill to enforce the liability of Conveyancers. This Bill had been introduced, explained, approved of, and passed through the Council last Session. The principle of the Bill was to protect the community from the acts of persons professing to transact the business of Conveyancers, by making such professing conveyancers liable to the same extent for their blunders as Lawyers at present are. It did not interfere with existing practice. Any man might yet draw up his own will, and do any conveyance. But if it was, for a second party, he would become liable for his faults. At present the conveyancing in the country parts was chiefly done by Registrars and Schoolmasters, who, from their ignorance, entangled their foolish employers in no end of litigation, while they were held irresponsible.

Hon. Col. PRINCE approved of the Bill. It was a notorious fact that people often lost their estates from employing these irresponsible unprofessional Conveyancers, who, for the most part, were tinkers and barbers. He hoped the time was approaching when conveyancing would come to be studied as a science here, as it was in England.

Hon. Mr. ALLAN, while approving of the Bill thought the penalty for the breach of its provisions—\$100 too much.

The Bill was read a second time and referred to a Select Committee composed of Hon. Messrs. *Vankoughnet, Prince, Campbell, Allan* and the mover.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Thursday, March 29, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend and consolidate the Judicial Acts of Lower Canada.—Mr. *Piché*.

BILL to amend the act to provide for the separation of the County of Peel.—Mr. *Carling*.

BILL to incorporate the St. Bridget's Asylum of Quebec.—Hon. Mr. *Attegn*.

BILL to amend the several acts relating to the Incorporation of the City of Montreal.—Hon. Mr. *Dorion*.

BILL to amend and extend the provisions of the 22nd Vic. chap 74, so as to enable the Corporation of Dundas to issue and dispose of Debentures not exceeding a certain rate of interest, and to levy a special rate for the establishment of a Sinking Fund.—Mr. *Notman*.

BILL to confirm and establish the side lines and side roads, in the 3rd, 4th, and 5th Concessions of the Township of Beverly.—Mr. *Notman*.

BILL to amend the 22nd Vic. chap 90, in reference to the Niagara and Detroit Rivers Railway Company.—Mr. *Walker Ponce*.

BILL to incorporate and grant certain powers to the Agricultural Loan Association of Canada.—Hon. *Sidney Smith*.

BILL to confirm a certain survey, between 9th and 10th Concessions in the Township of Hope, and for other purposes.—Hon. *Sidney Smith*.

BILL to authorize the New City Gas Company of Montreal, to increase its capital stock.—Hon. Mr. *Rose*.

STANDARD WEIGHT FOR HAY AND STRAW.

On motion of Mr. DESAULNIERS, his Bill to establish a Standard Weight for Hay and Straw, was read a third time.

STATISTICAL RETURNS OF JUDICIAL MATTERS.

Mr. PICHE moved for a 2nd reading of the bill to provide for an Annual Return of the cases tried, and other proceeding in the Courts of Justice.

Hon. Messrs. CARTIER and LEMIEUX, and Mr. LABERGE, approved of the object proposed, though the first named gentleman thought it might be attained in an easier way.

Mr. PICHE was pleased with the assent of the Attorney General, and loudly complained of the unnecessary delays which some Judges practised in deciding the causes before them.

At the suggestion of Mr. CARTIER, the further consideration of the measure was postponed till Monday.

PASSENGERS ON STEAMBOATS.

On motion of Mr. JOHN CAMERON the bill to make further provisions for the safety of passengers by Steamboats, was read a second time, and referred to a Committee composed of Hon. Mr. Cameron and Messrs. *McLeod, D. Ross, Ferris, and J. Cameron*.

PRIVATE BILLS.

On motion of Mr. DESAULNIERS the Bill to incorporate "Les Filles de Ste. Anne," of St Jacques de L'Achigan, was read a third time.

On motion of Hon. ATTORNEY GENERAL WEST the Bill to extend the Charter of the Gore Bank was read a second time.

BRITISH AMERICAN INVESTMENT CO.

Hon. Mr. CAYLEY moved the second reading of the Bill for Incorporating and granting certain powers to the British American Investment Company.

Hon. J. S. MACDONALD considered the measure a very dangerous one. It would grant this Company power beyond that of almost any other Banking establishment in the country. On the whole, the Bill was calculated to injure the rights of the people of this country, and he should therefore vote against it.

Hon. Mr. CAYLEY said that by increasing the opportunities for making investments, the general rate of interest would be reduced, and the people thereby benefitted.

Hon. Atty General MACDONALD said, the effect of the Bill would be to bring money into the country, on the same terms as the Canada Landed Credit Company, and the North West Transit Company.

Hon. Mr. BROWN and Mr. MACDOUGALL opposed the Bill.

The Bill was then read a second time, and referred to the Special Committee on Finance Bills. The House then adjourned, at six o'clock..

LEGISLATIVE COUNCIL.

Quebec, March 30. 1860.

Hon. Mr. SPEAKER took the Chair at three o'clock.

CONVEYANCERS' LIABILITY.

Hon. Mr. PATTON presented the report of the Committee on the Liability of Conveyancers' Bill.

The report was received, and the Bill ordered to be read a third time, at the next sitting of the House.

VACCINATION.

Hon. Mr. DEBLAQUIERE introduced a Bill to provide for the more general adoption of Vaccination.

The Bill was read a first time, and ordered to be read a second time on Wednesday.

DOWER.

Hon. Mr. PATTON introduced a Bill to abolish Dower in certain cases.

The Bill was read a first time, and ordered to be read a second time on Monday.

RAILROAD TO HALIFAX.

Hon. Mr. TESSIER moved the following Resolutions:—

1st. That by the Act passed in 1851, (14 & 15 Vic., c. 73,) it was declared that it was of the highest importance to the welfare of this Province, that a Main Trunk Line of Railway should be made from the western frontier of Canada to the eastern frontier thereof and, thence, through the Provinces of New Brunswick and Nova Scotia, to the port of Halifax.

2nd. That by the Act it was declared that all ungranted lands within this Province, lying within ten miles on either side of the line of the said Railway, might be appropriated in aid of that undertaking.

3rd. That since 1851 there have been built, with the guarantee of the Province, nine hundred miles of this Main Trunk Line of Railway, from Sarnia, at the western extremity of Canada, to Rivière du Loup, of which five hundred miles are in Upper Canada, and four hundred miles are in Lower Canada.

4th. That one hundred and fifty miles of this road remain to be built, in order to complete the line from Rivière du Loup to the eastern extremity or frontier of Canada.

5th. That this continuation of the road would create commercial and maritime relations, of the highest importance, with the Colonies in the Gulph of St. Lawrence.

6th. That an humble Address be presented to His Excellency the Governor General, founded on the preceding resolutions, and praying him to communicate with the Governments of New Brunswick and Nova Scotia, as to the expediency of making, at such time as may seem fitting, a joint and simultaneous representation of the three Provinces, calling upon the Imperial Government for a grant in favor of this undertaking, in order to insure the completion of this Intercolonial Railway, which is destined to become the great means of communication from the Atlantic to the Pacific.

These resolutions were very important, and, in the opinion of the mover, the present was a very appropriate time to bring them forward. It was well known that it was the original intention to carry the Grand Trunk Railroad to Halifax. But that intention was abandoned for the time, and the Line was carried eastward to Rivière du Loup. The subject had already engaged the attention of the Legislature of the Lower Provinces—and it was a question with them, whether the Line should be constructed to the State of Maine, in the United States, or to Canada. To either place the Line must be constructed; and if it were constructed to the States, all the advantages that could flow to our Province from connection with the Lower Provinces—among which, the Fisheries might be mentioned—would be forever lost to us. In New Brunswick, this scheme of connection with Maine, had been mooted, and immediate action on the part of Canada was called for, to counteract such a tendency. The distance from Rivière du Loup to the eastern frontier of Canada was only one hundred and fifty miles; by this extension, a connection would be made with New Brunswick and Nova Scotia, and with the Islands in the Gulph of St. Lawrence. The Railway from Sarnia, the western extremity of Upper Canada, to Rivière du Loup, was not less than nine hundred miles. Would the Government, after an expense of nine millions of pounds, for the Canals and Railways of the country, stop before the completion of this main communication to the East. Nova Scotia had already built a part of the Robinson's Line—a Railway from Halifax to Truro; a distance of sixty miles is now in operation—and it was expected that this Main Line would be continued to Shediac. In New Brunswick, a Railway had

been constructed from the city of St. John to Shediac, on the shores of the Gulf of St. Lawrence. And to show how pressing it was to prevent the trade being totally diverted to the United States, that it was sufficient to read in the last report of the Railway Commissioners of New Brunswick, the following words: "It is not enough that the Railway has been built, the traffic must be brought to it. The 70,000 inhabitants of Prince Edward's Island, the 14,000 in Kent, the 18,000 in Northumberland, the 14,000 in Gloucester, and the 5,000 in Rivigouche, with the large and extensive districts of Gaspé, and the northern side of Rivigouche,—the inhabitants of Newfoundland, Cape Breton, and the flourishing districts along the northeastern shore of Nova Scotia, should be brought into immediate intercourse with St. John, and the Northern States of America, by means of this Road." Why should Canada lose the advantages of opening these important commercial relations with the Lower Provinces, and of securing a due share in the trade of the Fisheries. The question had specially engaged the attention of some leading men in England lately, and a memorandum had been addressed to the Chamber of Commerce of Liverpool, in favor of this undertaking. It was expected that the subject would be brought before the Imperial Parliament, by petition or otherwise. It was in the interests of Great Britain, as well as in the interests of all the British North American Colonies, that this Road should be built, in its entire length, on British territory. Halifax was the most magnificent harbor of America. There our Canadian Line of steamers ought to come during the winter, and they would be in a safer port than Portland. Sir Samuel Cunard had said: "during a period of twenty years, our steamers were never kept out of Halifax, but they have, out of Boston, many times." The mails could be delivered in Toronto and Chicago by the projected Halifax Railway, several hours before the steamer could reach any of the American Ports. No better opportunity could offer itself to bring this project under favorable consideration, than when the noble Heir to the British Crown made his visit to Canada, accompanied by many men in high station.

Sir E. P. TACHÉ seconded the motion. The advantages of the proposed scheme would not be confined to any particular country, but would diffuse themselves over the Empire generally; and fully warranted the Canadian Government in applying to the Imperial Government for the aid necessary to construct so great and important a work. It was the desire of all the British North American Provinces to continue their connection with the Mother Country, and, no doubt, it was the desire of the Mother Country to remain in her present relations to her Provinces as long as she could. England would not like to see any of the Colonies joining with the United States in rivalry against her. She had many rivals in the different branches of manufactures—but she had only one rival for the

carrying trade of the world, and that was the United States. He believed that England would lose more *prestige* by the loss of her American possessions than she would by the loss of India. Motives of policy ought to induce England to aid in the construction of this Line; and, as to the cost, there would be as much money spent in the cumbersome transportation of troops to and from Quebec, in the Winter months, as would suffice to build it. Now was the time to urge on the Home Government, the necessity of coming forward to aid in the achievement of that great work. Already ninety miles of the Railroad to Halifax were constructed—namely, to Rivière du Loup; and there were also other considerations which should have weight in hastening the construction of the Line. Hon. gentlemen should remember that the United States, in case of any war breaking out, had at present, more means of carrying the sword into the Province than she had forty-five years ago,—and hence the great necessity for a Line which would bring us into immediate communication with the Lower Provinces, and also with Great Britain. The scheme, of course, should be a Government measure; and he trusted and believed that they would support it.

Hon. Mr. DEBLAQUIERE had long thought of the proposed scheme. A great work like the one proposed, should not be constructed solely with a view to what commercial profit it would bring. If such an idea predominated, we would have no great public work at all. He would apply those remarks to the subject before the House. When it was decided that the terminus of the Grand Trunk Railroad was to be in the United States, he received the announcement with a great deal of regret. He considered such a project fraught with danger to this Province, and an inexpedient measure. At present, it was true, that there was no danger. The Americans and Canadians had the same origin, and were one people. But such amicable relationship might not last for ever. Yet, although this was a strong point, he did not desire to rest his argument on it. He advocated the construction of the line in consideration of the great advantages which would accrue to Canada in a commercial view of it. The Hon. gentleman here alluded to the distress and difficulties which lay in the way of the successful completion of the Grand Trunk R. R., and especially the Victoria Bridge, the greatest work in the world, the opening of which was soon to be celebrated by no common occurrence in this country, the presence of the Heir to the Throne. He then alluded to the proud position to which Canada had been raised by the present Government, which he said was an unwilling Government, yet they had raised the Province to a position she never occupied in the world before. He was sorry to see the apathy with which the Imperial Government in general viewed Canadian matters—but he was happy to think that that day was at an end, and England was about to test the profession which Canada had been making as to her resources and public works.

Hon. Mr. VANKOUGHNET said that it would be difficult for him to oppose the motion as it agreed with the policy of the Government. But, at the same time, there was this objection to be urged against the resolutions, that they were unnecessary. The Government had never lost sight of the importance of the measure. In 1857, the present Attorney General West was sent to England to represent it to the Imperial Government. There were also delegates from the Lower Provinces. The document drawn up on that occasion by the Attorney General West, was one of the ablest of the kind ever laid before the House. In 1858, the subject was again pressed on the attention of the Imperial Government; and an unfavorable reply was received. In 1859, another attempt was made to sound the opinion of the Imperial Government on the subject; which task was undertaken by the Postmaster General, and the Finance Minister, when they were lately in England. But there was no change. The Duke of Newcastle disapproved of it. Therefore it was considered that it would not be wise to make a formal application on the subject, because it was well known that after an absolute refusal the subject could not be brought up again with any chance of success. Besides, the present was an inopportune time to press such a measure on England. She had her *budget* to discuss, her foreign relations to engage her attention, and the uncertain state of her politics to vex her. And it would not be prudent to press the subject at present. It required tact to manage such a matter, and a more convenient opportunity than the present, could easily be found. The British Government thought that the reason Canada pressed this scheme so much was, that it was one of commercial importance to her, and that the nationality of the scheme had nothing to do with it; and, thinking in this erroneous manner, she concluded that Canada would build the line herself, even if she did not receive Imperial aid. And no doubt if the Imperial Government could but all the expense of the line on Canada, she would. With a view to remove the erroneous impression entertained by England as to the view Canada took of this line, he proposed to amend the fifth clause, so that it would read—“That the continuation of the road is of the greatest national importance to Great Britain and her British North American Colonies, independent of the commercial and maritime relations of Canada, and the Gulf of St. Lawrence.”

Hon. Mr. TESSIER agreed to the amendment. The resolution was then put and carried.

WINTER HARBOUR.

Hon. Mr. TESSIER moved the following resolutions: “1st. That it is important, for the navigation of the River St. Lawrence, to ascertain whether the Port of Bic, and that of Father Point, 160 miles east of Quebec, are harbours where Ocean Steam Vessels may arrive during any part of the season during which the navigation is usually stopped at the Port of Quebec.

and to the west of Quebec." "2nd. That an Address be presented to His Excellency, the Governor General, praying him to take the necessary means to order a survey on this subject.

Hon. Mr. VANKOUGHNET concurred in these resolutions also. The subject had not escaped the attention of the Government. As late as last Fall it was debated on, but owing to the absence of some of the members of the Ministry nothing definite was arrived at. He himself thought that when the Finance Minister was in England he might have purchased the steamer *Fox*—the steamer yacht used in the McClintock Arctic expedition. It was sold at a low figure; and it would have exactly suited the purpose embraced in the resolution. But the Government did not think fit to authorize the act, so it was not carried out. As to the navigation of the St. Lawrence, in the Winter months, at the places proposed, the Government in reality knew nothing at all. He would approve of the striking of a Committee to take the subject into consideration, to report on the best manner of carrying it out. He would also suggest that the resolution be amended so as to embrace not only the places mentioned, but any other which might exist, by inserting the words "or any other Port of Canada, East of Quebec," after "Father Point."

Sir E. P. TACHE said that the experience of the navigation of the St. Lawrence was at present confined to sailing vessels, which could make no head-way at all in ice. If steam vessels were used important results might be expected to follow. He had lately been down as far East as the places mentioned, and had learned, on enquiry from the inhabitants, that navigation was open for ten weeks longer there than at Quebec. And it was not altogether impossible that on further search a suitable place might be found in the River, where navigation would be open all the year round.

The resolutions were then put and carried, and a Committee of Hon. Messrs. *Vankoughnet, Latérière, Armstrong, Crawford,* and the mover struck to investigate the subject.

COUNTY COURTS JURISDICTION.

The Bill to extend the jurisdiction of County Courts was read a third time and passed.

ST. PAUL'S CHURCH, WOODSTOCK.

Hon. Mr. DEBLAQUIERE moved the second reading of the Bill to enable the Church Wardens of St. Paul's Church, Woodstock, to sell and every certain lands.

The Bill was read a second time.

COMPTON SCHOOL.

The Bill (from the Assembly) to Incorporate the Compton School was read a first time, and ordered for a second reading on Monday.

HAY AND STRAW.

The Bill (from the Assembly) to establish a Standard Weight for Hay and Straw, was read a first time.

EASTER HOLIDAYS.

Sir E. P. TACHE drew attention to the approaching Festival of Easter.

Hon. Col. PRINCE suggested that the Council should appoint the same holidays as the Assembly.

Hon. Mr. MOORE moved that when the House adjourn on Wednesday next, it stand adjourned until the following Tuesday.

Hon. Mr. PATTON moved in amendment that the Holidays commence on Monday instead of Wednesday, with a view to enable gentlemen from Western Canada to go home for a few days.

Hon. Mr. VANKOUGHNET thought this too long.

Hon. Mr. ALEXANDER advocated the transaction of the public business as a primary consideration. In his opinion there was no business transacted since the Houses met.

Hon. Col. PRINCE contended that the Legislative Council, at all events, had worked. Already nine Bills had been passed through that body, while only some two or three had as yet come up from the Assembly. The Bills passed in the Council were all important ones. They were the Growing Timber Bill, Grand Jurors in Recorders Courts Bill, International Bridge Bill, Municipal Debentures Restraint Bill, Public Lands Bill, Speakers' Election Bill, Steamboat Security Bill, County Courts extension Bill, and the Toronto and Montreal Mechanics' Institute Bills. All these had passed the Council and been sent to the Assembly.

The question on the amendment was then put and lost, and Hon. Mr. Moore's motion was carried.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Friday, 30th March 1860.

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

HALDIMAND ELECTION.

Mr. R. W. SCOTT presented a report from the Haldimand Election committee to the effect that they had issued a commission for taking further evidence to the Judge of the County Court of the County of Haldimand, and asked leave of the House to adjourn, till again called together by warrant of the Speaker.—*Adopted.*

BILLS INTRODUCED AND READ A FIRST TIME.

BILL respecting the representation of the people in the Legislative Assembly.—Hon. Atty. General *Cartier.*

BILL to Incorporate the Terrebonne Navigation Society.—Hon. Mr. *Morin.*

BILL to provide for the repeal of the several acts authorizing the establishment and maintenance of Separate Schools in Upper Canada.—Mr. *Ferguson.*

BILL to facilitate the drainage of lands in Canada.—Mr. *Benjamin.*

MONTREAL MECHANICS' INSTITUTE.

On motion of Mr. DUNKIN, the Bill to amend and alter the Act Incorporating the Mechanics' Institute of Montreal (from the Legislative Council) was read a second time.

UNLICENSED SALE OF INTOXICATING LIQUORS.

Hon. Mr. GALT moved that the report of the Committee of the Whole, on certain resolutions, relative to shop, tavern, and other licenses in the unorganized tracts of the Province be received.

Hon. Mr. CAMERON believed nothing could be more contrary to the wishes and feelings of the whole country, than the extension of the license system. All laws facilitating the sale of liquors, tended to increase the evil of drunkenness, and it was questionable whether the Government had any right to grant licenses for the sale of intoxicating liquors anywhere.

Mr. ANGUS MORRISON said that large quantities of liquors were sold in the unorganized tracts without license—granting licenses could not increase that sale.

The report was received on division.—Yeas 78; nays 30.

YEAS.—Messieurs. Alieyn, Archambeault, Baby, Beaubien, Benjamin, Bourassa, Buchanan, Bureau, John Cameron, Carling, Caron, Attorney General Cartier, Chapais, Cimon, Coutlée, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Dubord, Dunkin, Ferres, Foley, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Laframboise, Langevin, Laporte, LeBoutillier, Lemieux, Lorange, Loux, Macbeth, Attorney-General Macdonald, John S. Macdonald, MacLeod, Mattice, McCann, A. P. McDonald, McGee, McNicken, Meagher, Sol. Gen. Morin, Morrison, Ouimet, Papineau, Pope, William F. Powell, Price, Robinson, Roblin, Rose, Dunbar Ross, Richard W. Scott, William Scott, Sherwood, Simard, Simpson, Sincennes, Sidney Smith, Tassé, Thibaudau, Turcotte, Webb and Wright.—78.

NAYS :—Messieurs. Aikens, Bell, Brown, Biggar, Burwell, Malcolm Cameron, Clark, Cook, Dorland, Ferguson, Finlayson, Gowan, Harcourt, Donald A. Macdonald, McKellar, Munro, Notman, Patrick, Playfair, Walker Powell, James Ross, Rymal, Short, Somerville, Stirton, Tett, Wallbridge, White and Wright.—30.

The Bill was then read a second time.

On motion of Hon. Mr. GALT, that the House go into Committee on the Bill on Tuesday next.

Hon. Mr. CAMERON expressed his conviction that the Bill would be evil in its tendency. It would facilitate traffic in liquor, that could be proved to be actually poisonous. He held a letter from Mr. Hiram Cox, of Cincinnati, who informed him, that out of 200,000 barrels of liquor, manufactured in that city, no more than what they were purported to be, the greater part

being largely adulterated with strychnine, prussic acid, sugar of lead, and other poisonous drugs. Under the proposed Bill, a person need only pay a few shillings per barrel to Government, and full liberty was given them to retail this destructive and abominable liquor among our people.

Hon. Mr. GALT said the Government was fully awake as to the evils of Intemperance, and to the necessity of preventing it as far as possible. But he thought the Hon. member for Lambton misapprehended the nature and effects of this Bill, which was intended to prevent the present unlicensed sales of intoxicating liquors. It would bring the liquor dealers of those tracts under the law, and punish them for its violation by fines and imprisonment. Surely such a measure could not tend to increase the sales of liquor—it would have the contrary effect. It was not introduced with a view to getting a few paltry licenses, but for the protection of the people in those parts of the country to which it applied.

Mr. J. CAMERON should support the Bill because he believed it would have the effect of restraining and diminishing drunkenness.

Mr. PATRICK thought the only object of the Bill was to obtain a few pounds per annum for licenses. He should oppose it.

Mr. W. F. POWELL was in favor of the Bill, which he regarded as a restriction on the present traffic in liquors.

The motion was carried.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

On motion of Hon. Atty. Gen. CARTIER, the House went in Committee on resolutions respecting the Administration of Justice in Lower Canada. Mr. Webb in the chair.

The Committee rose and reported the Resolutions with amendments.

ELECTION OF SPEAKER.

On motion of Hon. Atty. General CARTIER, the bill from the Legislative Council to provide for election of the Speaker of the Legislative Council, was read a second time.

PUBLIC LANDS.

On motion of Hon. Atty. General CARTIER, the bill from the Legislative Council respecting the management of Public Lands was read a second time, and referred to a Committee of the whole on Tuesday next.

TRIAL BY JURY.

On motion of Hon. Mr. CAMERON, the bill from the Legislative Council to allow verdicts in civil causes to be determined by the Jury, although not unanimous, was read a first time.

COUNTY COURTS.

On motion of Hon. Mr. FOLEY, the bill from the Legislative Council to increase the jurisdiction of County Courts, was read a first time.

The House then adjourned at 8 40.

T H O M P S O N ' S .

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

Monday, April 2, 1860.

Hon. Mr. SPEAKER took the Chair at three o'clock.

ST. PAUL'S CHURCH, WOODSTOCK.

Hon. Mr. DeBLAQUIERE presented the Report of the Committee on the Bill to enable the Churchwardens of St. Paul's Church, Woodstock, to dispose of certain lands.

The Report was concurred in, and the Bill ordered to be read a third time to-morrow.

ASSIGNMENT OF DOWER.

Hon. Mr. CAMPBELL presented the Report of the Committee on the Bill to provide for the Assignment of Dower in Upper Canada.

The Report was ordered to be taken into consideration on Friday week.

CHALLENGING JURIES.

Hon. Mr. CAMPBELL presented the Report of the Committee on the Bill relative to the challenging of Juries; which was ordered to be taken into consideration on Friday week.

CONTESTED ELECTIONS.

Hon. Mr. ALEXANDER enquired whether the Government intended, during the present Session, to introduce a Bill to transfer the trial of Controverted Elections to some other tribunal?

Hon. Mr. VANKOUGHNET replied that the Government did not intend to introduce such a measure during the present Session. The subject was a difficult one, and the Government had had it under consideration for some time; it also came up in the other branches of the Legislature, where, although fully discussed, nothing better than the present system had been suggested. The present practice in such matters, he might mention, was the same as that pursued in England.

CONVEYANCERS' LIABILITY.

The Bill to define the Liability of Conveyancers', was read a third time and passed.

DIVISION LINE BETWEEN UPPER AND LOWER CANADA.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to define the Boundary Line between Upper and Lower Canada. Many efforts had been made to achieve this object, as it was found that a deal of trouble and litigation arose from the present undefined state of the Boundary Line, and after a careful survey the present Bill was framed. He proposed to refer the Bill to a Select Committee, before whom could be brought Surveyors, and professional men, calculated to throw light on the subject. The Bill was read a second time and referred to a Select Committee, composed of Hon. Messrs. Taché, Latérière, Crawford, Campbell and the mover.

HAY AND STRAW.

Hon. Mr. ARMAND moved the second reading of the Bill to regulate the weight of Hay and Straw.

The Bill was read a second time and referred to a Select Committee composed of the Hon. Messrs. Panet, Campbell, Latérière and the mover.

COMPTON HIGH SCHOOL.

Hon. Mr. MOORE moved the second reading of the Bill (from the Assembly) to Incorporate the Compton High School.

The Bill was read a second time and referred to a Select Committee composed of the Hon. Messrs. Knowlton, Hollis Smith and the mover.

EASTER HOLIDAYS.

Hon. Mr. MORRIS had a motion put into his hand by a diffident member, to the effect that the Council adjourn on Tuesday instead of Wednesday for the Easter Holidays. He thought that the extra day would enable the Upper Canadian members to go home for a few days, with more convenience than they could otherwise do. As a motion, fixing the time of the adjournment for Wednesday had already been carried, he would now move that it be rescinded and his motion substituted instead of it.

After a short conversation, the motion was carried on a division; Yeas 18, Nays 12.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

Monday, April 2, 1860.

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

ADMINISTRATION OF JUSTICE IN QUEBEC.

On the question of the reception of two petitions from certain inhabitants of Quebec, presented by Hon. Mr. BROWN and Mr. FERRES, complaining of the Administration of Justice in Quebec.

Hon. Atty. Gen. CARTIER stated that he had received certificates showing that the allegations of the petitioners were not founded on fact.

Hon. J. S. MACDONALD thought the subject was a proper one for the investigation of a Committee, and that the course taken by the Hon. Attorney General East, was irregular and improper.

Mr. DUNBAR ROSS said, he could testify from his own knowledge that, as regarded one of the cases of complaint, the Attorney General East and the Crown Prosecutors were not in any degree blameable.

Mr. FERRES said, from the representations made to him, he had felt it his duty to present the petition. Of the truth of those representations he, of course, had no personal knowledge, and he would leave the matter as it stood at present, until he had seen the parties who had signed the petition.

The subject then dropped.

QUEBEC ELECTION.

Mr. W. F. POWELL reported, from the Quebec Election Committee, that Mr. Dufresne, one of the members, had not been present at the meeting that day, and subsequently moved the usual formal motion, that the Hon. gentleman be required to attend in his place to-morrow.

Hon. Mr. CAMERON moved, in amendment, that Mr. Dufresne be excused from further attendance on the Committee, remarking that, as the Chairman had, on a former occasion, produced a Medical Certificate of Mr. Dufresne's serious indisposition, this course was advisable, as it was important there should be no further delay in the Committee's proceedings.

Hon. Attorney General CARTIER opposed the motion, chiefly on the ground that, as the Committee had been reduced to four on Mr. Christie being elected a member of the Upper House, it was not desirable, if it could be avoided, that the Committee should be further reduced, more particularly when it was considered that Mr. Dufresne might have recovered from his indisposition, by the time the House resumed after the Easter Vacation.

After some discussion, the amendment was put and negatived—Yeas 42; Nays 62.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the South Eastern Mining Company of Canada.—Mr. *Dunkin*.

BILL to confirm certain Side Roads in the Township of Vaughan, as they have been opened out, travelled and improved.—Hon. Mr. *Cameron*.

BILL to amend chap. 47 of the Consolidated Statutes of Canada, entitled "An Act for the inspection of flour."—Hon. Mr. *Cameron*.

BILL to settle the line between the 13th and 14th Concessions of the Township of Burford, in the County of Brant.—Mr. *Biggar*.

BILL to restrict interments in certain burial-grounds in the City of Quebec.—Mr. *Langevin*.

BILL to repeal an Act entitled "An Act to Incorporate the Sherbrooke Manufacturing Company, and to Incorporate the Cotton Manufacturing Company."—Mr. *Pope*.

BILL to amend chap. 7 of the Consolidated Statutes of Canada, respecting the trial of controverted Elections.—Mr. *McDougall*.

THE PRINCE OF WALES.

Hon. Atty. Gen. CARTIER said the Government had been advised that the Prince of Wales would probably leave England for Canada about the 10th of July next—not sooner.

TAX ON NEWSPAPERS.

Mr. GOWAN enquired whether it was the intention of Government to propose a repeal of the Act imposing a Postage Tax on newspapers.

Hon. POSTMASTER GENERAL said the Act had not yet been in operation a year, and it was not the intention of the Government to propose any change during the present Session.

DEPREDACTIONS ON TIMBER.

Mr. DUNBAR ROSS enquired of the Government whether any measures had been adopted to restrain persons, having Timber Licenses from the Crown, from entering upon the lands of the inhabitants of the Townships and cutting and carrying off Timber.

Hon. Attorney General CARTIER replied that the necessary means had been adopted to prevent such depredations.

WHISKEY AND BEER.

Mr. BENJAMIN moved an Address to His Excellency, for a Return of all duties collected on account of Whiskey distilled, and Beer brewed in this Province,—the number of bushels of grain, and kinds of grain used for Whiskey, the number of gallons of Whiskey manufactured,—the number of bushels of grain, and kinds of grain used, and the number of gallons of beer manufactured,—said Return being in continuation of the Return made in 1857.—Carried.

THE INDIANS OF BECANCOUR.

Mr. GAUDET enquired of Government whether any proceedings had been taken on the part of the Government, in favor of the Indians of Bécancour, in conformity with the recommendation made to Government by the Report of the Committee of last Session on the subject; if not, whether they intended to take any proceedings in the matter.

Hon. Attorney General CARTIER said the Government had the matter under consideration.

THE CANADA LANDED CREDIT COMPANY.

Mr. FERGUSON moved an address to his Excellency for an account of the affairs of the Canada Landed Credit Company, with a view of

ascertaining the true amount of stock subscribed, the amount actually paid, the number and names of all applicants for loans, the date at which the applications were made, the amounts received from the applicants, the amounts loaned and upon what terms.—Carried.

BILLS PASSED THROUGH COMMITTEE.

BILL to divide the Township of Windsor, County of Richmond, into two distinct Municipalities, one to be designated the Township of St. George de Windsor, and the other to remain designated as at present, the Township of Windsor—(and amendments).—Mr. *Webb*.

BILL—To consolidate the Debt of the County of Middlesex—(and amendments).—Mr. A. P. *Macdonald*.

BILL—To Incorporate the Art Association, of Montreal—(and amendments).—Mr. *Dunkin*.

SECOND READINGS.

BILL—to separate the Counties of Lennox and Addington, from the County of Frontenac, for Judicial, Municipal and other purposes.—Mr. *Roblin*.

BILL—to Incorporate the Windsor Improvement Company.—Mr. *MacLeod*.

BILL—to provide for the re-payment, to the United Counties of Northumberland and Durham, of moneys loaned by them to certain Municipalities within the said United Counties.—Mr. *Burton*.

BILL—to change the limits of the Township of South Halifax.—Mr. *Hébert*.

BILL—to Incorporate the British American Manufacturing Company.—Mr. *Abbott*.

BILL—To authorize the Corporation of Montreal to acquire a site upon which to erect a Terminus for the Grand Trunk Railway of Canada.—Hon. Mr. *Dorion*.

BILL—To alter and amend the Act incorporating the Mechanics Institute of Montreal (from Legislative Council)—Mr. *Dunkin*.

BILL to amend the Act, chap. 63, of the Consolidated Statutes of Canada.—Mr. *Dunkin*.

BILL to provide for the Annual Statistical Returns of Judicial matters.—Mr. *Piché*.

BILL—To diminish the number of Licenses issued for the sale of intoxicating Liquors by Retail.—Mr. *Simpson*.

BILL—to amend the Act respecting the Municipal Institutions of Upper Canada, by enabling County Councils to allow travelling expenses to their members.—Mr. *Gould*.

BILL—to Amend the chapter 17, of the Consolidated Statutes of Upper Canada, as regards the appointment of Constables.—Mr. *Holmes*.

BILL—to Amend the Chapter 95, of the Consolidated Statutes of Canada, intitled, "An Act respecting Lotteries."—Mr. *Dunkin*.

BILL—to remove doubts to concerning the validity of Marriages of the Religious Society of Friends, commonly called Quakers, and for other purposes.—Mr. *McGee*.

BILL—to regulate the Presidency at Fabrique Meetings in the Catholic Parishes of Lower Canada.—Hon. Mr. *Loranger*.

The House then adjourned.

LEGISLATIVE COUNCIL

Quebec, April 3, 1860.

Hon. Mr. Speaker took the chair at 3 o'clock.
GAS AND WATER COMPANY, TORONTO.

Hon. Mr. ALLAN introduced a Bill to further amend the Act Incorporating the Metropolitan Gas and Water Company of Toronto.

The Bill was read a first time, and ordered to be read a second time on Friday week.

ASHBURTON TREATY.

Hon. Col. PRINCE gave notice of a motion for Friday week, having for its object the eliciting from Ministers the exact interpretation of the old Ashburton Treaty of 3 Wm. IV., as compared with the recent Act in the Consolidated Statutes. Great doubts existed at present in the minds of the magistrates, especially on the frontier, as to the manner in which the treaty, under the conflicting statutes, was to be carried out; which he hoped would be set at rest as soon as possible.

ST. PAUL'S CHURCH, WOODSTOCK.

The Bill to enable the Church-wardens of St. Paul's Church, Woodstock, to dispose of certain property, was read a third time and passed.

The House then adjourned till the 10th inst.

LEGISLATIVE ASSEMBLY.

Tuesday, April 3, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the Village of Merrickville, in the County of Grenville.—Mr. *McCann*.

BILL to extend certain provisions of the Consolidated Assessment Act of Upper Canada.—Mr. *Buchanan*.

BILL to Incorporate the Town of Sorel.—Mr. *Sincennes*.

BILL to amend the Act Incorporating the St. Lawrence Mining Company.—Mr. *D. Ross*.

BILL to amend and extend the several Acts relating to Mutual Insurance Companies in Upper Canada.—Mr. *Patrick*.

BILL respecting the Special Provisions concerning both Houses of the Provincial Parliament.—Hon. Mr. *Currier*.

THE CANADIAN TARIFF.

On the motion of Mr. BUCHANAN, an Address was moved to His Excellency, for copies of all correspondence with the Imperial Government on the subject of the Canadian Tariff, or Canadian Custom's Act.

DIRECT TRADE WITH FRANCE, &c.

Hon. Mr. GALT, in rising to move that the House would go into Committee of the Whole, on Tuesday next, on certain resolutions on the subject of a more direct Trade with France, and

also in relation to the Establishment of two Free Ports, one in the Gulf of St. Lawrence, and the other in the Sault St. Marie, said he desired to offer a few remarks in explanation of the objects which, he conceived, would be attained by the adoption of those resolutions, and by their becoming law. He would first refer to the resolution having reference to the establishment of a direct Trade with France. It would be evident to the House that the circumstances which had recently occurred in England, had rendered it necessary that this Province should have a much wider field, as a market for its products, than had heretofore existed. Without expressing any opinion on the policy of the course taken by the Imperial Government in removing the duties on Foreign timber, and placing that article on the same footing as the Colonial, there was no doubt that that step imposed on the important timber interest of this country, the necessity of looking abroad for the best market, and endeavoring, by increased energy, and by a more extended application of its own resources, to maintain the trade in a flourishing condition. It was a trade of much importance to the country, as it had been the means of opening up remote parts of the country—it had, in short, been the means of settling the vast valley of the Ottawa, and of populating large portions of Lower Canada; and therefore they could not view, without great dread, any steps which would have the effect of paralysing it. He might state for the information of the House, that the project of establishing a Treaty of Commerce between France and the mother country, came first to his knowledge when last in England. He accordingly felt it his duty to wait on the Treasury Department and inquire whether it was possible that that Treaty could be enlarged, so as to include Canadian Exports, but he found that the Treaty had advanced too far to admit of this being done. This step, on his part, might be considered unnecessary, in as much as the Government and Legislature had the power of dealing with the matter themselves, and he was not one to be a party to the curtailment of any privilege of this kind. But the fact was he desired to deal with the matter as promptly as possible, and he had not the advantage of a consultation with his Hon. friend, the Premier, or any other of his colleagues. It was within the knowledge of the House that one of the provisions of the new English Tariff had, for its object, to place the timber of the Baltic on the same footing as the Colonial timber. It was possible that this would not seriously embarrass the whole of the timber trade, but with regard to some of its details, it might do so. Of this fact, however, there was no doubt that France offered us more favorable advantages, in competition with the Baltic, for introducing our timber, than England. The voyage from the St. Lawrence, or New Brunswick, to some of the French ports, was shorter than from the Baltic; and as France had been denuded of her timber, the importance of opening a direct trade with her, must, under the circumstances, be ap-

parent to every one. They had the good fortune to have a representative of France in this country. He alluded to the Consul, the Baron deBoileau, who had brought before the country the advantages which must result from a direct trade with France, and to whom he (Mr. Galt) was indebted for a great many valuable suggestions on the subject, both orally and in writing. The object, then, of the resolution to which he had referred, was to obtain what he had vindicated, by asking of the House a reduction in the duty on the more bulky articles imported from France, which the people there might be expected to exchange for our own products. The trade which we now enjoyed with France, was inconsiderable. They had no means of arriving at an accurate statement as to its extent. But something like an approximate estimate might be gathered from our own Trade and Navigation Returns, which showed that our imports and exports to all Foreign Countries, except the United States, had been as follows, during the last six years:—

IMPORTS :	
1854.	\$1,355,000
1855.	1,073,000
1856.	1,616,000
1857.	886,000
1858.	732,000
1859.	793,000
EXPORTS :	
1854.	\$185,000
1855.	420,000
1856.	263,000
1857.	266,000
1858.	240,000
1859.	355,000

Thus, it would be seen, that our Exports only reached some \$300,000, or \$400,000, at the outside, while our Imports averaged some \$1,200,000. Hence, looking at the position which Canada occupies—looking at the policy of the mother country, which had thrown on this Legislature the necessity of taking steps for promoting our own commerce with foreign countries,—he thought the House would agree with him in the expediency of the course, which the Government recommended, should be taken. So little were they acquainted with what was going on in France, that there was scarcely a member of that House, who was aware that the duties on timber in France, had been reduced, for upwards of a year, to a perfectly nominal rate. Yet, such was the fact. The duties levied by France were even less considerable than those imposed by Great Britain. The duties in Great Britain were one shilling on cubic timber, and two shillings on deals, per 50 cubic feet. In France, on the other hand, the duty was quite inconsiderable. The *stere* was the standard measure in France; it was 29 French cubic feet, or somewhere about 35 English cubic feet. The duty on Walnut was, only 15 centimes a *stere* Oak, if imported in French vessels, was exempt; if imported in foreign vessels, there was a duty of 10 centimes. Other timber also,—that was, Pine of the vari-

ous descriptions—was free, if imported in French ships; if imported in foreign vessels, it paid the same duty as Oak. Deals, of three inches in thickness, if imported in French ships, were admitted free; if imported in foreign vessels, the duty was one franc—a duty really inconsiderable. Mast, Spars, and Bowsprits, were admitted free, whether imported in French or foreign vessels. On Staves, if imported in a French vessel, there was a duty of 10 centimes; if imported in a foreign vessel, one franc and-a-half. He would not weary the House by going over all the various items referring to timber. There were other articles on which they might still hope to obtain further relaxation. During the Crimean war, the duty on ships was 10 per cent., but since the war, they had been prohibited altogether. It was to be hoped that a more liberal policy would be adopted, and, that ships built in this country would be admitted free, which would have the effect of giving an impetus to the shipbuilding trade in this and other cities. With regard to the duties on furs, fish, oils, and various articles of that nature, the duties were nominal, or nearly so. He had been informed by the French Consul, that even the cereals of this country might be exported to France, but in that case, he (Mr. Galt) thought it would be exceptional. But many of our products would undoubtedly find a market in France. As regarded the French ports, Canada possessed an advantage over the Baltic in point of distance, and it might be reasonably hoped, that if we compete with the Baltic for the sale of timber in England, we could do so still more favorably in France. (Hear, hear.) Our staves were precisely what they wanted, and no doubt they would be glad to obtain them. At present, the direct trade between France and Canada amounted literally to nothing. Last year, one vessel entered our ports from France, and the year before, three vessels, and never in one year had more than six entered. The whole of our trade with France, was through either the United States or Great Britain. For the encouragement of our own commerce and industry, it was highly desirable that our importations from France should be direct. The object of his resolutions was to authorize the Governor-in-Council, whenever it might be found expedient, to reduce the duties on wines, brandies, and dried fruits. As regarded the great bulk of our products, we could ask no more than had been already conceded by France; our object would be chiefly to develop direct trade with that country. He proposed to reduce the duties on imports as follows:—Wines, from 30 to 20 per cent; Brandies, from 100 to 30 per cent. Dried Fruits from 30 to 20 per cent. Wines and Dried Fruits would thus be placed on the same footing with manufactured goods of Great Britain and the United States, and on Brandy, the duty would be the same as the United States now charge. It was hoped this reduction would considerably increase the importations, though with regard to Brandy, Whiskey could be manufactured so cheaply in this country, that even a

free admission of Brandy, would not very greatly increase the importation; he believed, however, that the reduction of the duty from 100 to 30 per cent., would increase rather than diminish the revenue from that article. It could not be objected to on a moral ground, for cheap liquor was always to be obtained, and if all other spirits could be raised to five times their present value, or equal to Brandy, it would be a great boon to the country. (Hear, hear.) The other branch of his proposition was based upon the same principle as that of extending trade with France. It became us to look abroad and ascertain how we could best use our national facilities, and develop our commercial relations. The value of the fisheries in the Gulf of the St. Lawrence, were becoming more and more appreciated. It was for many years supposed, that, below Quebec, there existed nothing worthy the attention of the Country; it was only recently that we had become aware of the vast wealth of the Gulf of the St. Lawrence, and the rapidly developing resources of that country. It might interest the House to learn the increase in the business of the three principal ports of the St. Lawrence—Gaspé, Amherst, and New Carlisle. The value of the Dried Fish produced in these three ports, in 1855 was, \$269,676. In 1856, \$264,218. In 1857, \$278,745. In 1858, \$374,727. In 1859, \$437,203. The value of Pickled Fish, in 1859, was, \$238,881—and of Fish-Oil, \$30,748. The aggregate value of all these articles was, in 1855, \$353,000. In 1856, \$405,000. In 1857, \$510,000. In 1858, \$691,000, and in 1859, \$764,000. Over three quarters of a million dollars, therefore, was the value of the exports from these three ports in the Gulf of St. Lawrence in 1859—while in 1855, the whole exports amounted to only \$353,000. The value of the imports also showed an equally marked increase in the industry and population of these ports. In 1855, the imports amounted to \$203,000. In 1856, \$216,000. In 1857, \$235,000. In 1858, \$254,000—and in 1859, \$290,000. By this it would be seen, that the value of the exports of these ports was very nearly three times the value of the imports—a statement that probably could not be made with regard to any other ports in the Province. (Hear, hear.) The amount of duties received at these ports had shown a corresponding increase.

In 1855, the duties were	-	\$14,000
" 1856, " " "	-	15,000
" 1857, " " "	-	18,400
" 1858, " " "	-	20,500
" 1859, " " "	-	31,500

The object he proposed to carry out was to establish a free port—not for the introduction of goods free to all parts of the country, but for the supply of the ports on the coast, where the population are almost wholly engaged in the Fisheries. The port of Gaspé would probably be the most eligible for the purpose. The district embraced under this regulation should be the whole of the north shore of Labrador, from Point des Monts down to Belle-Isle, and also the coast of Anticosti. The supplies required

by fishing vessels would thus be rendered cheaper on our coast, than elsewhere, and the large number of American and other vessels engaged in fishing would become our customers, for they could purchase their supplies at lower prices than in the ports of Massachusetts or New Hampshire. From seven to eight hundred American vessels of from 60 to 120 tons burden, and about six hundred schooners, entered through the straits of St. Paul every year, and many of them made three trips a year, so that the trade thus created would be very considerable. The whole value of the fish taken by American, French, Canadian and other vessels, amounted to \$6,546,000 per annum. Were Gaspé made a Free Port, not only would vessels put in there for supplies, but much of the fish would be landed there. To supply the demands of these vessels the products of the West and of foreign countries, would be shipped to these Free Ports, and a large and important trade would thus spring up. The same plan was proposed in regard to the Great West. We had a large country subjected to many difficulties; access to markets was limited, and communication with other parts of the country could take place only in the Summer season. It was desirable to open up the extensive mining districts of Lake Superior, and the Red River country. There were great inducements to Americans to secure the trade of the North West, through St. Pauls, but we ought not to encourage them; we should enable our own merchants to supply that country, and it was hoped the communication by the Canadian route would be rendered at least equal to the American. But something more was required to induce persons to settle in those regions. It was therefore proposed that the Sault St. Marie, and the whole district West should be free from duty. The result would be to encourage trade through this country; everything imported to that country would pass through Canada, and Toronto would become the great market. The only objections to this plan are that it will involve a loss of duty, and will place a certain number of the inhabitants in a more favourable position than others. The answer he would make was, that as regarded Gaspé, it was proposed to limit the change to the town itself. On the shores of Labrador there was no resident population whatever. All who resided at the ports would of course be free from customs duties for all they consumed. As regarded Sault St. Marie, the population was very inconsiderable, and the loss by duties would be nothing compared with the stimulus and life that would be given to the mining districts of that region. The whole would involve a sacrifice of about \$12,000, and for that the greatest possible stimulus would be given to our fishing and other interests in the St. Lawrence, and to our settlements and mining districts of the West. The benefits on the whole would undoubtedly exceed the sacrifice. It was intended that the change should be made to last ten years; a shorter period would be insufficient to give it a

thorough trial. He would explain the scheme in detail when the House was in Committee, and an opportunity would then occur for its full discussion.

Hon. Mr. DORION desired to be informed if it was the intention of the Hon. member (Mr. Galt) to establish a difference in the rate of duty upon the wines and fruits of France, and those of other Countries?

Hon. Mr. GALT—No it was not; they would be admitted on the same terms.

Hon. Mr. DORION wished also to ask if the Hon. member could state whether there had been any improvement in our timber trade with France, since the change in the tariff of that country, some two or three years ago?

Hon. Mr. GALT said, we had no direct trade with France now, but there was reason to expect that such a trade would soon spring up.

Mr. McDougall wished to know how the Minister of Finance proposed to collect the duties at the Free Ports, and how he would prevent the neighbouring inhabitants from procuring the goods, imported there, free of duty?

Hon. Mr. GALT—Of course the vessels would have to make clearances, as at other ports and at certain limits would be defined.

Hon. Mr. DORION—Would not such Free Ports have the effect of damaging the trade of the other adjoining ports? He (Mr. Dorion) was afraid the trade of those ports would be more injuriously affected than the Hon. member seemed to think.

Hon. Mr. GALT had no doubt the Free Ports would cause a large increase of business, and he had consulted Hon. members acquainted with the localities, who did not think that mischief would necessarily arise. It was clear that if we create a large centre of commerce, the benefits will extend all around, and the general interests of the country should be paramount to those of limited localities.

Hon. Mr. DORION—The goods landed at the Free Ports were to be for the use of the fishing population, and he would like to know how the distinction would be secured between them and the rural inhabitants. How would frauds be prevented?

Hon. Mr. GALT hoped that when he stated the details of the measure to the House, the Hon. member would see that sufficient precautions were provided.

Mr. BUCHANAN said, the most beneficial feature in the proposed measure, was not a trade with France, and he thought the Emperor was too patriotic to give us particular advantages at the expense of his subjects, but it was that it would tend to give us enlarged markets for our products, and this we wanted more than anything else. After all we had to look to the fruits of the soil as the main resources of the Province, and it was worth while running some risk in letting foreign goods come to the proposed ports, since the trade thus created, would cause a demand for these products. A question as to the permanency of the arrangement had been proposed, and he would like to see the Tariff

also settled for 10 years, for nothing contributed more to the progress of commerce than stable duties.

Hon. Mr. CARTIER—In that case the Government would have to be permanent also.

Mr. WHITE—And Lower Canada domination too.

Mr. BUCHANAN—By adding a market to those we had already, we would get better prices, just as an additional bidder at an auction improved the sales. As to the danger of inducing smuggling, he thought we might safely leave that with the Minister of Finance. Smuggling could not be done on a large scale, for those who pursued it were persons of no credit or means, so he thought that was no very formidable objection. He regarded this measure as the dawn of a better day for Canada, and he thought there was more patriotism in it, than in any other that had been introduced. He had not examined the resolutions very carefully, but having spent his life in conducting and studying trade, he could not but at once see they were in the right direction.

Hon. J. S. McDONALD was of opinion that the resolutions addressed themselves more to the common sense of the House, than those on the Sinking Fund or the Bank of Issue, which he confessed he had not yet fully mastered. Then, they recognized the Double Majority; (hear, hear); for there was to be a Free Port in both sections of the Province. As to the timber trade with France, if he understood the matter right, we could not expect to it increase unless we encouraged their ships to come to our ports, for they could take back our woods and enter them in their country, at a lower duty than if carried in British ships. He did know that Canada would derive much benefit from the cheaper importation of French wines and liquors, but, then, as the general trade of the country would be promoted, the proposal was undoubtedly a good one. The resources of the fishing districts in the Gulf had never been sufficiently appreciated by the western people; and indeed he believed that, in this respect, we had failed to understand our real interests. He remembered the annual motions of Mr. Christie, the old member for Gaspé, which were regarded as the indications of a species of insanity, but having visited that District, he now felt that we had made a great mistake in not fostering its business. When we read of the millions of fish exported from those waters by foreigners, we should consider that this immense trade might be carried on by ourselves and he hoped the measure now introduced would have the effect of further developing it for our profit. He was equally pleased with the proposed Western Free Port, which would greatly tend to bring us the business of the vast region beyond; but he was sorry that the Commissioner of Public Works was not prepared to recommend the expenditure necessary to put the Canals in the condition necessary to do that business. If one measure more than another justified a large expenditure, it was that which would increase the facilities

for the large carrying trade in question. Then it should be born in mind that it was when we were doing great public works that we attracted emigration, and no greater benefit could accrue to the country, than an increase of its population. In this way two great advantages were simultaneously secured. As to the fears about smuggling, he thought from the antecedents of the Minister of Finance that no fears need be entertained on that point (hear, hear, and laughter,) for he would take care to have a sufficient number of officers on hand to protect the Revenue.

Mr. DUBORD thought the present measure calculated to defeat our exportation trade.—The wine of France, it was true, would be imported here, but no adequate return in the way of exportation could be looked for. It was well known that France had taken care to protect herself in the matter of the Fisheries, by providing, that while the French people might extend the exportation of fish anywhere, none could be imported into France in foreign ships. And Hon. gentlemen need not be told of the importance of the fisheries of Canada.

The motion was then put and carried.

ADMINISTRATION OF JUSTICE IN L. C.

Hon. Mr. CARTIER moved for the reception of the Report of the Committee of the Whole on his Resolutions, respecting the Administration of Justice in Lower Canada.

Hon. Mr. DORION objected to the Resolutions on the ground of injustice to Montreal, which was already bearing a heavy burden for the expensive Court House erected there, especially as Municipalities which had neither Gaols nor Court Houses would escape the tax.

Hon. Mr. LORANGER made similar objections.

Hon. Mr. CARTIER—When Hon. members saw the Bill, their objections would be dissipated.

Hon. Mr. LORANGER—Then the Resolutions must have been changed.

Hon. Mr. CARTIER—No, but it will be found that the proposed taxes will be so applied as to remove the objections.

Hon. Mr. LORANGER was glad to hear this, and would wait for the Bill.

Hon. Mr. LEMIEUX maintained that Quebec would be burdened more heavily than it should, and, as a new Jail would have to be built, which, in consequence of the large number of strangers which it would have to receive, would require to be much larger, and more expensive in the management, than if it were calculated only for the necessities of the city—he hoped that part of the cost would be defrayed out of the Public Revenue. In framing his Bill, he trusted the Hon. Atty. Gen. would think of this, and not compel Quebec to bear the whole burden.

The Report was then received.

ST. PAUL'S CHURCH.

The Bill (from the Legislative Council) to enable the Church Wardens of St. Paul's Church, Woodstock, to dispose of certain lands, was read a first time.

EASTER HOLIDAYS.

Mr. POWELL, before the Orders of the Day was called, would move, that when the House adjourn to-night, it stand adjourned to the 10th inst. He was induced to make this motion, as he thought that the state of public and private business was such, that nothing would be lost by the House adjourning a day sooner than was at first intended; while the extra day would allow members from the Western part of the Province, to go home and come back with convenience.

Mr. DUNKIN suggested that there were several Private Bills which would come up for a second reading on Wednesday, which would be thrown over for a week by the delay.

Hon. Mr. DORION thought that the House could conveniently adjourn to-night.

Hon. Mr. CARTIER said that the Government had no desire to stand in the way of the House adjourning, when Hon. gentlemen thought it best. It did appear that the opinion of the House was in favor of adjourning on Tuesday instead of Wednesday.

The motion was then put and carried.

QUEBEC ELECTION.

Mr. W. F. POWELL moved that the excuse of Mr. Dufresne, relative to his non-attendance on the Quebec Contested Election Committee on account of ill-health, verified as it was by affidavit, be accepted.

Mr. McGEE hoped that the Hon. gentleman would so attend the Committee as to enable a report to be soon presented.

The motion was carried.

THIRD READINGS.

The following Bills were read a third time:

BILL—to divide the Township of Windsor, County of Richmond, into two distinct Municipalities, one to be designated the Township of St. George de Windsor, and the other to remain designated, as at present, the Township of Windsor.—Mr. Webb.

BILL—to Consolidate the debt of the County of Middlesex.—Mr. A. P. Macdonald.

BILL—to Incorporate the Art Association of Montreal.—Mr. Dunkin.

ELECTIVE SPEAKER.

Hon. JOHN A. McDONALD moved the House into Committee of the Whole on the Bill (from the Legislative Council) to provide for the Election of the Speaker of the Legislative Council.

The House went into Committee of the Whole, and reported the Bill without amendment. The report was received and the Bill ordered to be read a third time this day week.

REPRESENTATION OF THE PEOPLE.

Hon. Mr. CARTIER moved the second reading of the Bill respecting the Representation of the People in the Legislative Assembly.

Hon. Mr. DORION protested against the pressing of the second reading just then. He did not think that the Bill was printed in French.

Hon. Mr. CARTIER assured him that it was.

Hon. Mr. DORION was opposed to the measure as it stood, and intended to move certain resolutions to it, when the House was in Committee of the Whole on it.

Mr. McGEE rose and said, that in the absence of a large number of the members, it was impossible that the Bill should have the discussion necessary to a right understanding of it. It had been brought in without petitions from any of the cities interested, and he thought that it was not fair to press the second reading of it on the very day it was distributed. He had been asked what objections he had to it, and in one sense he might say, he had no objections to its principle, for the good reason, that it had no principle at all. It had been alleged that it would provide for the representation of the several nationalities, and if this doctrine were maintained, he would answer that he was opposed to such distinctions, in either the urban or rural populations; he only desired to know a Canadian nationality. But this could not be the principle of the Bill, for it was clear that it could not attain that end by dividing Toronto through Yonge Street, nor could it be attained in Montreal by the proposed division. Nor, indeed, would it be fully secured in Quebec, for the centre would not inevitably return a British member. If, then, this was the pretext, it was a false one. Another reason might be alleged, though it had not been vouchsafed, and that was public convenience, which, perhaps, would be fitting enough, if there was any real inconvenience experienced, but as this was not pleaded, he would pass it over. Then it had been suggested to him that the Bill intended a representation of interests, that, for instance, in Montreal, the West would represent the Manufacturing interests, the Centre the Mercantile, and the East, the Building interest, but these interests, it was well known, were not so dissociated, but might be found scattered all over the city. But on the supposition that they were, how would this answer for Toronto and Quebec? Such distinctions were known to no Legislature or Municipal Council in the world. But if such distinctions were good for the cities, why not for the counties? In the House of Commons, numbers alone formed the basis of representation, and though this could not be reached with great precision. Yet, since 1832, the British Constitution had always respected the principle as far as possible. If the Bill was said to be in the interests of social order, he would answer, that at the last general election, those of Montreal and Toronto had been perfectly peaceful, and though there had been some trouble in Quebec, it was due only to the intervention of some 40 or 50 persons who

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 9, 1860.

REPRESENTATION OF THE PEOPLE.

(Concluded from our last No.)

were known to have always aided in producing disturbances at such times. The Bill would not divide Toronto equally, so far as numbers were concerned, nor would it do so in Quebec. Then as to Montreal, the Western section would have 5,000 votes, the East, 3,800, and the Centre, 1,000, so that one Centre vote would be equal to 4 in the East, and 5 in the West. But this was not the worse for the Central men, who were generally wealthy and owned property in the other sections, and might vote there also, and thus one would be equal to 15 in the West, and 12 in the East. Yet, this was not the greater evil, for the Government, which called itself a moderate Government, would create the religious and national feuds which it professed to desire to avoid. No doubt the Mercantile men in the Centre would sneer at the artisans of the East and West, and insist upon their rights, to be equal to 12 or 15 of the voters in those sections. Again, this measure would dwarf down the representatives of the cities, to the dimensions of City Councilors, and confine them to the little local and peddling objects peculiar to the localities they represented. But could it be supposed that the 5,000 at the West, or the 4,000 at the East, would not resent such injustice? Of course they would, and he warned the framer of the Bill, in view of the expected visit of the Prince of Wales, that he would excite indignation and ill-blood, which the summer solstice would not allay. For his part, he would never consent to the proposed change, and he would not give the piece of paper in his hand, to represent the people of a section of Montreal if it were so divided.

Hon. Mr. CARTIER moved that the Bill be taken into consideration of the Committee of the Whole on Tuesday next.—Carried.

PUBLIC LANDS.

Hon. J. A. MACDONALD moved the House into Committee of the Whole on the Bill [from

the Legislative Council) to provide for the sale and Administration of Public Lands.

The Committee went through the Bill, and reported the same without any amendments.

SALE OF LIQUOR IN THE UNORGANIZED TRACTS.

On the motion of Hon. Mr. GALT, the House went into Committee of the Whole on the Bill to prevent the unlicensed sale of intoxicating Liquors in the unorganized tracts of this Province, and resolutions relative to Shop, Tavern, and other Licenses.

The Committee went through the Bill, and reported the same without amendments.

GAS. CO., MONTREAL.

Hon. Mr. ROSE moved the second reading of the Bill to authorize the new City Gas Company of Montreal, to increase their capital stock.

The Bill was read a second time.

The House then adjourned till the 10th inst.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, April 10, 1860.

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

QUEBEC ELECTION COMMITTEE.

Mr. DUFRESNE presented a report from the Quebec Election Committee, to the effect that on Wednesday, the 4th inst., the members present, within one hour after the time appointed for the meeting of the Committee, were Messrs. *Dufresne*, *Dionne*, and *Ferguson*; that on Thursday, the 5th, the members present were Messrs. *Dufresne*, *Dionne*, and *Ferguson*; that on Saturday, the 7th, there was no member present; that on Monday, the 9th, the members present were Messrs. *Dufresne* and *Dionne*; and that on this day, the members present were Messrs. *Dufresne* and *Dionne*. The Committee submitted this statement to the House in order that such action might be taken as the House might think proper.

Mr. SICOTTE inquired whether the report was in order, the names of the members present, instead of those absent, having been reported, which was contrary to the usual practice.

After discussion, Mr. SPEAKER ruled that the report might be received, although not in the usual form.

On the motion of Mr. DIONNE, the members absent from the meetings of the Committee were ordered to attend in their places to-morrow.

PUBLIC LANDS.

Hon. Atty.-Gen. CARTIER moved the third reading of the Bill (from the Legislative Council) respecting the sale and management of Public Lands, which was carried, and the Bill was read accordingly. Several verbal amendments were made, and the Bill then passed.

The House then adjourned, at 8.45.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, April 11.

Mr. Speaker took the Chair at three o'clock.

QUEBEC ELECTION.

Mr. W. F. POWELL reported from the Quebec Election Committee, that Mr. *Dufresne* was absent from the meeting of the Committee this morning, and moved that that Hon. member be required to attend in his place to-morrow.

Hon. J. S. McDONALD said, he understood the Hon. member for Montcalm had not attended the meeting because he was of opinion that the Committee was dissolved.

Mr. DUFRESNE said he would be quite prepared to state, to-morrow,—which was the proper time for doing so—the cause of his absence.

Mr. W. F. POWELL said, he understood the Hon. gentlemen had been deterred from attending the meeting by the threat of some kind of a writ, at the suit of the sitting members, if he did so.

Hon. Mr. ALLEYN said there was not the slightest truth in the report. There had, no doubt, been some irregularities on the part of the Committee, but he begged to say that neither himself, nor either of the other sitting members, desired to take advantage of them. They had not had the slightest intention of doing so, but were anxious that the Committee should proceed with their investigation, and report as soon as possible.

The motion was carried.

Subsequently, on the orders of the day being called, Mr. W. F. POWELL, and Mr. Ferguson, handed in affidavits, stating the cause of their absence from the meeting yesterday.

Their excuses were respectively accepted.

THE VISIT OF THE PRINCE OF WALES.

In reply to Hon. J. S. McDonald, Hon. Atty.-Gen. CARTIER said, the Government were not yet in possession of any further information than that already communicated to the House, in reference to the visit of His Royal Highness, the Prince of Wales, to Canada.

Hon. J. S. McDONALD said the subject was one in which the whole Province felt a deep interest, and the Government could surely say what they proposed to do. They knew that His Royal Highness, the Prince of Wales, was about to visit the Province, with a numerous retinue of courtiers, noblemen and gentlemen, and this was sufficient to enable the Government to act.

Hon. Atty.-Gen. CARTIER said, a correspondence was now going on between His Excellency, the Governor General, and the Imperial authorities, in reference to matters of detail, which it was necessary the Government should know before they took any definite action. As soon as the correspondence was closed, the Government would communicate their views and intentions to the House.

The conversation then dropped.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to extend to Police Magistrates, in towns, the powers conferred on Police Magistrates and Recorders in cities, by 22nd Vic., Chap. 105.—Mr. *McKellar*.

BILL to incorporate certain parties under the name of the Upper and Lower Canada Bridge Company.—Mr. *Heath*.

BILL to consolidate and provide for the liquidation of that portion of the debt of the Town of Guelph, not affected by the Act respecting the Municipal Loan Fund.—Mr. *Stirton*.

BILL to incorporate the St. Patrick's Association of Montreal.—Mr. *McGee*.

ST. MAURICE AND LAKE ST. JOHN'S SURVEY.

Mr. PRICE moved an Address to His Excellency, praying him to cause to be laid before the House, the Reports and Plans of the Exploration and Survey, made by Messrs. *Blairlock* and *Arcand*, from the St. Maurice to Lake St. John's.—Carried.

FEES AND EMOLUMENTS OF REGISTRARS.

Mr. WHITE moved an Address to His Excellency, for Returns of the Fees and Emoluments of the Registrars of Upper Canada, pursuant to the 76th Section of the Consolidated Statutes of Upper Canada, Chap. 89, in continuation of the last Returns sent down to the House.—Carried.

COMMITTEE ON PRINTING.

Mr. THIBAUDEAU moved that the 7th Report of the Joint Committee of both Houses, on Printing, be concurred in. The Report recommended that 2,000 copies of the Consolidated Statutes of Canada, and 2,000 copies of the Consolidated Statutes of Upper Canada, in English, be printed and distributed to the several Clerks of the Peace at cost prices.

Hon. Mr. SICOTTE thought it was the duty of the Government to cause copies of the laws to be distributed gratuitously in as many of the public offices as possible.

Mr. BENJAMIN was in favor of supplying to Magistrates a selection of Municipal, School and Road Statutes, at 4s. 3d. per volume.

A long discussion followed, in the course of which, Mr. BENJAMIN stated that the tender of Mr. Lovell, for printing five thousand copies of the Statutes, was \$3 40 for the two volumes. On subsequent inquiry he had offered to print an edition of two thousand at the same rate. He (Mr. Benjamin) had understood that the Queen's Printers had, after Mr. Lovell's tender, offered to do the Printing at the same price. It was proposed to get up a work which would cost 4s. a volume, for distribution among magistrates. There were not, in Upper Canada, more than fifteen hundred magistrates who had taken the oath of office, and they would furnish copies to none who had not taken the oath. An edition of fifteen hundred would cost only £300.

Hon. Mr. SICOTTE moved in amendment, that the Report be not now adopted, but referred back to the Committee for the purpose of ascertaining whether, if a larger number of copies be printed, the price would be diminished.

The amendment was carried.

TRADE AND NAVIGATION RETURNS.

A Message was received from His Excellency, transmitting copies of the Trade and Navigation Returns for the year 1859.

LOCKS AT LINDSAY.

Mr. JOHN CAMERON enquired of Ministers, "Whether it was their intention, at the opening of navigation, to commence the construction of the new Locks at Lindsay, for which, and the improvement of the water communication of the Newcastle District, an appropriation was made in 1858,—and if so, whether the works were to be carried on under public tender and contract?"

The Hon. gentleman was proceeding to make some remarks relative to the enquiry, when

The SPEAKER informed him that he could not comment on an enquiry; and that if he wished to make any remarks, he must change his motion into an Address.

Mr. JOHN CAMERON would do so. He begged to remind the House that, in 1858, an appropriation of \$15,000 was made towards the construction of the Lock in question, which was then, and was at present in such a bad state that it could not be used. Shortly after the appropriation was made he went to England, and, on returning home after an absence of some months, he found that not a single penny of the appropriation had been laid out on the work.—The advantages of the work were manifold. It would open the communication with the Upper Lakes, which, at present, was interrupted, and prove a great blessing to the people of that part of the country. He hoped the Commissioner of Public Works would give him an assurance that the work would go on.

Hon. Mr. ROSE was sure that, after his Hon. friend heard what he was about to tell him, he would withdraw his motion. There had already been a great outlay in the construction of such works, amounting to several thousand pounds; and he must confess that, after all, the one in question, was not of any public utility. And further, if an appropriation were made to construct this Lock, similar appropriations would also have to be made to construct many more in the line of communication, in which it was, between Lake Scugog and Sturgeon Lake. In order that the government might judge of the expediency of giving the appropriation asked for, an enquiry had been instituted, which resulted in the information that the Lock spoken of, had been constructed on the wrong side of the river, and a very large outlay—something like \$65,000—would be required to change it to the right side. In addition to this outlay, it was also reported that it would also be requisite to construct four other Locks, at a cost of £15,000—entailing a cost, in all, of £75,000, to complete the entire communication. He hoped that, when his Hon. friend took these things into consideration, he would withdraw his motion.

Mr. CAM RON, after what he had heard, would withdraw his motion.

DAMAGES—WELLAND CANAL.

Mr. McMICKEN moved for the striking of a Petition, to take into consideration the Petition of John Keefer, praying for compensation for damage sustained by the giving way of the banks of the Welland Canal, and the consequent overflowing of his property. The Hon. gentleman complained, that the claim had been presented six months ago, and that arbitration had been refused. He hoped that, now, justice would be done.

Hon. Mr. ROSE contended, that the claim in question had not been received six months ago, that it was not treated with contempt, and that arbitration had not been refused. The first application made by Mr. Keefer, had been on the 8th of February last, and that was not even over his own signature, and that it did not contain a statement of the amount of damage sustained.—With regard to the break in the Canal, the Department had been informed, that no liability accrued—since it was an accident not attributable to negligence, or want of proper care.

Hon J. S. McDONALD thought the Hon. gentleman had better withdraw his motion; but could not agree with the doctrine laid down by the Hon. Commissioner, that the Government were not responsible for the damages sustained by the breaking down of Public Works, since it would place the poor man in an unlucky position.

Mr. McMICKEN protested against his motion being thrown out. He thought that it was a case that demanded the interference of the Government, and if they did not accord it, they would be giving color to the charge, that Upper Canada was being ruled by Lower Canada domination.

The question on the motion was then put and lost.

PRIVATE AND LOCAL BILLS PASSED THROUGH COMMITTEE.

BILL to Incorporate the St. George's Society of Montreal—(and amendments.)—Mr. *Dunkin*.

BILL to amend the Act intitled "An Act to Incorporate the Village of New Hamburg, in the County of Waterloo."—(and amendments.)—Mr. *W. Scott*.

BILL to establish the Concession Line between Gore A. and the eighth Concession of the Township of Grimsby, — (and amendments.)—Mr. *Simpson*.

PRIVATE AND LOCAL BILLS READ A SECOND TIME.

BILL to incorporate the St. Lawrence North Shore Navigation Company.—Mr. *Désautniers*.

BILL to amend the 22nd Vic., cap. 90, in reference to the Niagara and Detroit Rivers Railway Company.—Mr. *Walker Powell*.

BILL to incorporate the South Eastern Mining Company of Canada.—Mr. *Dunkin*.

BILL to restrict interments in a certain Burial Ground in the City of Quebec.—Mr. *Langevin*.

BILL to confirm certain Side Roads in the Township of Vaughan, as the same have been opened out, improved, and travelled; and to provide for the manner in which the remaining Side Road allowances, and other Boundary Lines of lots in the said Township shall hereafter be defined.—Mr. *Howland*.

BILL to settle the Line between the thirteenth and fourteenth Concessions of the Township of Burford, in the County of Brant.—Mr. *Biggar*.

BILL to Repeal an Act intitled, "An Act to Incorporate the Sherbrooke Manufacturing Company," and to Incorporate "The Sherbrooke Cotton Manufacturing Company."—Mr. *Pope*.

BILL to Incorporate the Village of Merrickville.—Mr. *McCann*.

BILL to establish and confirm the Side Line of the lots in the Township of Clarendon, in the County of Pontiac.—Mr. *Heath*.

BILL to amend the Act to Incorporate the St. Lawrence Mining Company.—Mr. *Dunbar Ross*.

PUBLIC BILL PASSED THROUGH COMMITTEE.

BILL to amend Chapter 58 of the Consolidated Statutes of Canada, as regards the investment of money by Insurance Companies—(and amendments.)—Hon. Mr. *Cayley*.

PUBLIC BILLS READ A SECOND TIME.

BILL respecting the rights of innocent occupants of land in Upper Canada under titles which prove defective.—Hon. Mr. *Mowat*.

BILL to amend and extend the Acts relative to Mutual Insurance Companies in Upper Canada.—Mr. *Patrick*.

ELECTION OF REEVES BY THE PEOPLE.

Mr. A. P. MACDONALD moved the second reading of the Bill to amend Chapter 54 of the Consolidated Statutes of Upper Canada, respecting the Municipal Institutions of Upper Canada. He explained that the simple object of the Bill was to give directly to the people of Townships the choice of their Reeves.

Hon. Attorney-General CARTIER said, he did not think this Bill would be sanctioned by the House. It would be remembered, that when the Bill relating to the Municipal Institutions of Upper Canada, was before the House, two Sessions ago, the propriety of giving to the Municipal electors of Townships, the power of electing their Reeves, was pretty generally discussed, and that there was a strong feeling against it. He therefore thought that, for the present, at least, no alteration should be made in the existing law.

After some discussion, a vote was taken on the motion, which was negatived.—Yeas 20; nays 50.

QUALIFICATION OF PHYSICIANS AND SURGEONS.

Hon. Mr. CAYLEY moved the second reading of the Bill to regulate the qualifications of Practitioners in Medicine and Surgery.

Mr. DALY objected to the Bill, which, in his opinion, was intended to favor a particular school in Toronto.

Hon. Mr. CAYLEY explained the Bill. Every Electoral Division of Upper Canada, and six Universities, would send two members to the Council, so there would be thirty members against the eight gentlemen of Toronto. The object of the Bill was to secure a distinction between the efficient and the inefficient, in the medical profession.

Dr. CONNOR had received several communications on the subject, and understood that the Bill would seriously interfere with the privileges of the Homœopathsists, allowed by the House last year.

Mr. AIKEN said, a clause was inserted in the Bill of last year, that it might not include Homœopathsists. The present Bill had been approved by all the medical men, with the exception of three or four, of Toronto, and by nearly all those of Montreal, who, with many others, had expressed their opinions by petitions.

Mr. PATRICK thought the Bill would give an undue and unfair influence to a certain knot of medical men in Toronto. The people of Upper Canada were perfectly satisfied with the present laws upon the subject.

Dr. DORLAND had always viewed this measure as calculated to throw the whole power of the profession into the hands of a few gentlemen in Toronto. Very few practitioners residing in the country would find time to attend the Convention at Toronto—their practice would not permit their absence.

Hon. ATTY. GEN. WEST, certainly did not wish to place medical men, outside the city of Toronto, at the mercy of gentlemen in the city. (Hear, hear.) He believed that among the medical men of Upper Canada, the feeling was against this Bill. (Hear.) It had been got up to favor the interests, or sooth the quarrels of a few gentlemen of Toronto; and it would also materially affect the interests of the Homœopathsists. He (Hon. Atty. Gen.) doubted whether

the 4th clause would exempt them. A similar Bill had been passed some years ago, and was afterwards repealed by Her Majesty in England. Such would be the fate of the present one also, if passed.

Mr. AIKEN said there had been reasons for the repeal of the last Bill, which would not apply to the present one.

Mr. McMICKEN called attention to the fact, that, in all the petitions, there were no names of medical men.

Mr. HARCOURT said, the petition from the County of Haldimand was signed by nearly all the medical men of that County, and they were generally in favour of it throughout the country.

Hon. Mr. CAYLEY was quite willing to submit the Bill to a Committee, that it might be improved or modified to meet the views of those who now opposed it.

The Bill was then read a second time and referred to a Select Committee.

Mr. McDOUGALL did not quite approve of the Bill in its present shape, but would not oppose its second reading, on the understanding that the Committee to whom it would be referred, would remedy the objectionable part of it.

The Bill was then read a second time and referred to a Select Committee.

ADULTERATION OF FOOD.

The House went into Committee on Mr. Dunbar Ross' Resolutions, relative to the Adulteration of Food and Drink. Mr. Roblin in the chair.

Hon. Mr. CARTIER pointed out to the Hon. gentleman that, as a question connected with the Exchequer, was involved in the Bill, as it at present stood, the proper course would be for the Committee to rise, report progress, and ask leave to sit again.

The Committee accordingly rose and reported progress.

The House then adjourned at half-past nine.

LEGISLATIVE COUNCIL.

QUEBEC, Thursday, April 12th, 1860.

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

JUDGESHIP OF ALGONA.

Hon. Col. PRINCE begged to give notice of a motion, which affected the credit, honor, and respectability of the House. A charge had been made against an Honorable gentleman, that he was sitting in the House day after day with, to use a hackneyed phrase, a judgeship in his pocket. He need not remark on the heinousness of such conduct, if it were true, and how unworthy such a one would be to sit in the House. The charge had been made by some of the leaders of the Press—it was made deliberately in the face of truth, and the persons who made it, knew well enough that the statement was false. He had hoped that some of his Hon. friends, with whom

he had labored so long, would have taken notice of the villainous slanders which had been made against one of their colleagues, and given notice of the motion which he was about to bring up. In the Lower House a motion, he believed, had been made, but a delay had arisen—and in such a case, delay was a sting to an honorable mind, and he could not brook it. He begged to give notice that, on Monday he would move for an Address to His Excellency, praying for copies of all correspondence that had passed between himself (Col. Prince) and the Government, relative to the Judgeship of Algona.

TAVERN LICENSES.

Hon. Mr. DEBLAQUIERE introduced a Bill to amend the Municipal Act of Upper Canada, with respect to granting Shops and Tavern licenses.

The Bill was read a first time and ordered to be read a second time on Monday next.

POISON.

Sir E. P. TACHE introduced a Bill regarding the sale of Poison by Apothecaries, Druggists, and Chemists.

The Bill was read a first time.

VACCINATION.

Hon. Mr. DEBLAQUIERE moved the second reading of the Vaccination Extension Practice Bill. The Hon. gentleman stated that, when he first introduced the subject of the present Bill to the notice of the House, he had moved for certain returns, for the purpose of finding out statistics on which the House could form an opinion as to the working of the law regarding the subject in question. He was sorry to inform the House that, out of all the Hospitals in the Province, but two returns had been made—one from London, and the other from St. Hyacinthe. And these two showed that in one case, three persons had been vaccinated, and in the other only seventeen. It was rather an unfortunate matter that the returns had not been made, for these Institutions were supported with Government donations, and ought to furnish the supplies when called on. He did not mean to cast any reflections on the Government but he thought that no appropriation ought to be made until the returns sought for, were laid before the House. There were sixteen medical institutions in the Province, receiving no less a sum than \$46,000; and besides this, there were four colleges which received \$4,000, making, in all, an allowance of \$50,000; and yet, none of those institutions, with the above exceptions, although supported by the Government money, thought fit to report when called on. But to come to the immediate subject of the Bill—at present there were great complaints, as to the want of vaccine matter; there seemed to be an apathy on the part of those whose duty it was to keep a supply, and it was but right, that the attention of the Government should be drawn to it. The prevalence of the disease, the small-pox, and the dreadful manner in which it spread among the poor people, and the ignorance or apathy of

those people with regard to it, had already been treated of. Its ravages in Toronto had been spoken of by the Hon. member from York, statements which he (Mr. DeBlaquière) knew to be too well borne out by facts. And all these facts went to show that some stringent measures should be adopted to protect the community. The object of his Bill was to provide for the more general adoption of the practice of vaccination. He had thought to combine in the same Bill provisions for the keeping up of a supply of the necessary matter—but it was found impossible to combine both branches in the one Bill and accordingly the latter was dropped. The Bill made due allowances for the prejudices of the people, which, strange as it might seem, were very strong against the taking of the proper steps to prevent the contagion of the small pox. This prejudice, he was surprised to hear, existed in Lower Canada, as well as Upper Canada—as his friend (Sir E. P. Taché) had told the House. And, in order not to jar too suddenly with those existing prejudices, it was thought best to provide that all children born in cities, after a certain time, as fixed in Committee, should be vaccinated. The necessity for this compulsory measure must be apparent, when the ravages of the disease are taken into consideration,—dreadful among children, but peculiarly fatal to adults; and also when it is borne in mind that, at the present moment the Hon. Commissioner of Crown Lands was making every exertion to attract a large stream of emigration to this country—and it was well known the ravages the disease made amongst newly landed emigrants, especially where there was not accommodation for them. The compulsory measure had been tried in England, and, after years of experience, it was found to work well; why then should it not have a trial in Canada? It should at least have a trial, to see if a better state of things, than at present existed, could not be brought about. He did not mean to cast any undue reflections on the Hospitals—but it was not the most beneficial and wholesome system in the world to pursue, to lodge all the patients, no matter what their disease, in one room, as was the actual case. In none of the Hospitals was there a separate Ward for small-pox patients. As he had stated on a former occasion, the Toronto Hospital was deficient in accommodation for patients. The patients were confined in one Ward, and, consequently, when discharged from the Hospital, they went abroad with the contagion of worse diseases, than that of which they had originally been sick, about them, and spread it where they went. He would also animadvert on the manner in which patients suffering with the disease, had been treated at the Gaol, in the same city. He now begged leave to draw attention to the provisions of the Bill. It was formed on the principle of the English Bill. The first clause provided that no public money should be paid to any Hospital unless a separate Ward were set apart in it for the accommodation of small-pox patients. He would draw particular attention

to that clause. The second clause provided that the Councils of the Cities of Quebec, Three Rivers, St. Hyacinthe, Montreal, Ottawa, Kingston, Toronto, Hamilton, and London, should make contracts with medical practitioners for the vaccination of the residents of such Cities. Places in each Ward, for the above purpose, were also to be established. And all children born after a certain time, in those above mentioned Cities, were to be vaccinated. The Bill also contained other excellent provisions. He proposed to refer it to a large Select Committee, if allowed, to be read a second time.

Hon. Mr. CRAWFORD suggested that there should be a Central Depot in Canada named, in which vaccine matter could be got from. There was the practice in Ireland, in which Dublin was the Central Depot.

The Bill was then read a second time, and referred to a Select Committee, composed of the Hon. Messrs. Taché, Latour, Tessier, Campbell, Ferrier, Allan, Ferguson, Gordon, Dr. Smith, and the mover.

FIRST READINGS.

The following bills were received from the Legislative Assembly and read a first time.

Bill to consolidate the Debt of the County of Middlesex.

The Bill to divide the Township of Windsor, in the County of Richmond, into two Municipalities.

PUBLIC LANDS.

The Bill to provide for the sale and management of Public Lands was received back from the Assembly with amendments which were concurred in.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, April 12th, 1860.

Mr. SPEAKER took the Chair at 4 o'clock.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the Canada Central Railway Company.—Mr. W. F. Powell.

BILL to amend the Act to Incorporate the Montreal Protestant Orphan's Asylum.—Hon. Mr. Rose.

QUEBEC CONTESTED ELECTION.

On the Order of the Day being called, for Mr. Dufresne to attend in his place, to explain the cause of his absence from the meeting of the Quebec Election Committee, yesterday and today:

Mr. DUFRESNE presented an affidavit setting forth that the reason for his absence was, that, notwithstanding the most mature consideration, very grave doubts existed in his mind, as to whether or not the said Committee was still legally and really in existence; under those circumstances, he was of opinion that the most

wise and prudent course he could pursue was to refrain from attending the said Committee until the doubts under which he labored had been removed, by an expression of opinion on the matter by the Hon. the Legislative Assembly. In adopting this course, he intended no disrespect to the House, nor was he actuated by any desire to impede or delay the proceedings of the Committee in the matter of the said election. From this affidavit it would be understood that he had acted with a sincere desire to have the position of the Committee defined by the House, and whatever that might be, he would cheerfully bow to it.

Mr. DIONNE then moved, seconded by Mr. MCGILL, that the excuse of Mr. Dufresne, under affidavit, be deemed sufficient.

Hon. Mr. CAUCHON said that if the excuse were accepted, it would tantamount to a declaration that the Committee was dissolved.

The SPEAKER rising to put the motion,

Mr. CIMON wished to know before it was put whether the acceptance of Mr. Dufresne's excuse would have the effect indicated, for if this question was not decided, he would come forward with a similar excuse to-morrow.

Hon. Mr. SICOTTE thought the Attorney General should give his opinion as to the law applicable to the case, for, if the excuse offered were simply received without any declaration on the part of the House as to the particular point raised, the excuse would be perfectly valid to-morrow. The House was the Administrator of the Election Law, and should interfere to prevent a false step.

Hon. Atty. Gen. CARTIER said, the excuse of the Hon. member for Montcalm did not involve the proposition that the Committee was dissolved. That Hon. gentleman had grave doubts whether the Committee was in existence, and wished the opinion of the House in the matter. He (Hon. Atty. Gen.) thought it would have been better for the members of that Committee to have deliberated upon that point themselves; the House could not deliberate for them, and had no right to interfere. (Hear, hear.) The question now submitted to the House was, whether the allegations contained in this affidavit were sufficient to allow the motion of the Hon. member for Temiscouata to be carried. It was not the first time that a question of this kind had arisen. The contested election of Hon. Mr. Boulton, for Toronto, had aroused a question in all respects similar to the present one. In November, 1852, the cholera broke out suddenly in Quebec, and one Hon. member died in consequence. There was a motion then made, on the 10th November, that the House stand adjourned until the 14th February, 1853. The Committee was not sitting at the time; it had adjourned from the 8th to the 18th, in order to obtain certain evidence. The House adjourned on the 10th, and of course the Committee did not meet on the 18th. The House met on the 14th February, 1853, and on the 24th February, an exception was taken by one of the Commit-

tee of not having met on the 18th November, 1852, and because there had not been three successive meetings on the 14th, 15th, and 16th of February. The objection was made to the Committee, and the Committee decided the point themselves. But as there were still doubts in the minds of many members, of the legality of the decision, the Committee reported the whole matter to the House. The House took no action upon the report, and it was, consequently, presumed by the members of the Committee, that their proceedings had been correct, and the case was adjudicated according to the law for the trial of controverted elections. The difference between the two questions was, that in the first case, the Committee decided the doubt, and in this case, the House was asked to decide it. In his opinion, the House ought now to excuse the Hon. member for Montmorenci, but, in thus excusing him, it would not be implied that the Committee was dissolved.

Mr. CAUCHON thought the two cases very different. In the first case, the House was informed of the doubts by a report of the Committee. In the present case, the doubts were expressed by one member of the Committee, who asked the opinion of the House. If the House said they had nothing to do with it, when could the Committee decide, if it was not complete? It was evident to the House that there was a decided unwillingness to act on the part of the Committee. (Hear, hear.) If the House excused the Hon. gentleman, it ought, at the same time, to express its opinion that the Committee is not dissolved.

Hon. Mr. SICOTTE agreed to a certain extent with the remarks of the Hon. member who had just sat down, for it would be harsh to discredit the affidavit made by the Hon. member for Montcalm. He was glad, however, to see that the House did not partake of the doubts of the Hon. member as to the dissolution of the Committee, and as he did not wish to proceed to extremities, he would submit a motion which he thought would free the Hon. member from censure, and at the same time prevent the excuse from being repeated. If his motion was not accepted, he would not vote for the acceptance of the excuse, for the morality of the House would soon become a mere mockery unless an end were put to the preceeding, and he would rather see the Hon. member punished and the law vindicated, than suffer a daily repetition of acts which were calculated to bring the House into contempt. He would now move in amendment—"That it be resolved that, Joseph Dufresne, Esq., member of the Select Committee in the Contested Election for the City of Quebec, having absented himself from the Committee without permission or exemption, this House, taking into consideration, the declaration under oath of the said Joseph Dufresne, Esq., abstains from punishing or censuring the said Joseph Dufresne, Esq., and will not order him to be taken into the custody of the Sergeant-at-Arms for his negligence."

A MEMBER—What will this amount to?

Hon. Mr. SICOTTE—Why, by the Resolution simply declaring that the excuse, though not valid, should not be followed by punishment.

Hon. Mr. THIBAudeau—Yes, but you do not thereby oblige the Hon. member for Montcalm to sit.

Hon. Mr. SICOTTE—No, but it declares that he had absented himself without a sufficient reason, and therefore it intimates that the House will regard him as guilty of contempt, and will punish him accordingly if he refuses or neglects to do so.

Hon. J. S. McDONALD said, his opinion was, that if ever there was an occasion when the penalties of the Act relating to Contested Elections should be enforced, it was the present. This was not the first time that the Hon. member's absence from the Committee had been the subject of discussion. His conduct in reference to that Committee had been painfully open to suspicion. He had several times appealed to the sympathies and indulgence of the House. When he was sick, it was well enough that their sympathy should be extended to him. But the present was a very different case, for he had acted in direct opposition to the plain course laid down for him by the law, and now when he discovered his error, he had the coolness to ask the House to express its opinion whether he was right or wrong. A more flagrant disregard of one of the most important duties which was imposed upon members of that House, he (Mr. McDonald) had never observed, and it was only right that the House should emphatically express its displeasure. He would, therefore, move, in amendment to the amendment, "That the excuse offered by *Joseph Dufresne, Esq.*, is not satisfactory, and that he be taken into the custody of the Sergeant-at-arms, and brought to the bar of the House, and there reprimanded by the Speaker."

Mr. DUFRESNE—Oh, crucify him! (Hear, hear.)

Mr. TURCOTTE—"Law or no law," the Hon. member for Cornwall would have the member for Montcalm punished; for that was the principle he had himself announced on another important occasion. But was that Hon. member prepared to say as a lawyer that, after a Committee, that was bound by law to sit from day to day, had intermitted its sittings for three days, it was competent to resume them. In his opinion the Hon. member for Montcalm had had good grounds for the doubts he had expressed; and when he had affirmed, under the sanction of an oath, that he entertained such doubts, he was indignant at the motion of the Hon. member for Cornwall. For his part, he could not see that the member for Montcalm had been guilty of any crime, unless it was that of being sick, with which he had been reproached.

Hon. Mr. CAUCHON—Well, but how will you decide the case?

Mr. TURCOTTE said, it was for the House to decide. He (Mr. Turcotte) did not say the member for Montcalm was right in his opinion, that the Committee was dissolved, but he certainly believed him when he said he had done what he thought right under the circumstances. The House could very properly say that the Hon. member had entertained a wrong opinion, but it could not properly affirm that, entertaining the views he did, he had been culpable.

Hon. Mr. LEMIEUX regretted that the House should have to deal with the subject, and while he did not say the member for Montcalm had done wrong intentionally, he yet thought he had manifested too great an eagerness in declaring the Committee dissolved, especially as he had done so without consulting his co-members on that Committee. The House could not declare the Committee dissolved, but a majority of the Committee could meet and declare by a Resolution, whether or not the irregularities that had occurred, had or had not been prejudicial to the rights of the parties interested, but the member for Montcalm had taken care by his absence to prevent all action, and in this way matters might go on to the end of the Session. The Hon. member had been present at the Committee, on Tuesday, and he (Mr. Lemieux) was therefore surprised to hear him now allege, that he believed it to be legally extinct. In regard to the motion of the Hon. member for St. Hyacinthe, he was sorry he could not agree with it, for no member should be excused, except for a justifiable cause, whereas it offered to excuse the Hon. member for Montcalm, while it censured his conduct. The law declared that any member absent from a Committee, should be reported to the House, and if his reasons for being absent were deemed sufficient, he would be excused, if not, he was to be punished, by reprimand or imprisonment, therefore, the motion of the Hon. member was in opposition to the letter of the law, and could not be maintained, so he could not vote for it. As he had stated, the member for Montcalm had been present at the Committee on Tuesday, and therefore he thought his excuse was insufficient, and he (Mr. Lemieux) would therefore vote for the motion of the Hon. member for Cornwall.

Hon. Mr. CARTIER thought the Hon. member for Cornwall should withdraw his motion, and allow that of the Hon. member for Temiscouata to pass. He had no objection to the motion of the member for St. Hyacinthe, for it did not censure the Hon. member for Montcalm, but simply declared, that, although he had absented himself from the Committee without permission or exemption, the House, in view of his explanations, ordered that he should not be punished, and this, he held, relieved the Hon. member from all censure. Mr. Cartier continued to

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, April 12, 1860.

QUEBEC CONTESTED ELECTION.

(Concluded from our last No.)

argue, that the member for Champlain had correctly given the spirit of the law, when he had said, that the Committee only were competent to judge of the extent of their own powers, as well as whether said Committee were or were not dissolved, in consequence of having ceased to sit for three consecutive days. The question of their existence, or their non-existence, was therefore one for themselves to settle. Reverting to the motion of the Hon. member for St. Hyacinthe, he (Mr. Cartier) wished he would add to it, in the terms of the law, that, inasmuch as the member for Montcalm had not stated that he had absented himself through "sudden accident, or unavoidable necessity, &c.," with this alteration it might pass.

Hon. Mr. MOWAT said that the Hon. Attorney General seemed to be extremely sensitive lest any blame should be visited on the member for Montcalm. Now was it not surprising that, in a British Province three whole years should pass without being able to come to a decision upon a case so gross, that the first Session of Parliament a member of the Government had declared there was no doubt that thousands of fictitious votes had been put on the poll books. This case had brought the greatest ignominy, not only upon the Government, but upon the House and the law itself, and the whole country was watching for the issue. It was clear that all the questions which had been brought before the House in this matter were properly and exclusively the Province of the Committee, and the Hon. member for Montcalm could not but be aware of this. Why then did he appeal to the House? Was he not deserving of censure for taking steps to prevent the further action of a Committee who had sat nearly three years? If there was ever a case in which the House would not be justified in passing over the conduct of

a Committee, it was the present one. Were it not for party spirit, both sides of the House would certainly agree in condemning the course taken by the Hon. member for Montcalm, and even the motion of the Hon. member for Cornwall was not severe enough to meet the case.

Mr. PATRICK said, that if the House was ever called upon to mete out justice to a member who had omitted his duty, it was called upon to do so on the present occasion. Year after year the Hon. member for Montcalm had lent himself to party interests, to defeat the ends of justice. At Toronto, he had obstinately refused to attend that Committee. Here also, he was determined to absent himself, and finding no other means available, he became suddenly very ill, and was obliged to sit in the House in his great fur cap, and rolled up in a blanket.— (Cries of "order" and "shame.")

Mr. DUFRESNE wished to make a few remarks in reply.

Mr. SPEAKER said, that an Hon. member whose conduct was under consideration, should either withdraw, or take no part in the discussion.

Mr. DUNBAR ROSS said the Hon. member had asked to be excused, because he believed the Committee to be dissolved. The House was therefore called upon to declare the Committee not dissolved. But the proper course of the Hon. member would have been to have met the Committee, and have talked the matter over with them. He (Mr. Dufresne) had been trifling with the House, and was deserving of censure. If serious faults were over-looked, the House would lose the respect of the country.

Mr. DUFRESNE said the Hon. member for Grenville had accused him of coming into the House with a blanket on his back. (Laughter.) Now, the House ought to make him take back that statement. (Laughter.) No other gentleman would have made such a false statement, and it ought to be corrected before it went any further.

Hon. Mr. CARTIER said, the Hon. gentleman opposite ought not to object to the garment the

Hon. gentleman wore, because it was the blanket of the white sheep, and not that of the black. (Laughter.)

Mr. MACDOUGALL said, his opinion was that, by accepting the excuse offered by the Hon. member for Montcalm, they would be sanctioning the principle, that the member of a Select Committee, appointed to try the validity of an Election, might, if he choose, absent himself from the meetings of the Committee upon his own mere judgment, or opinion of his own, in violation of the plain letter of the law. There were only two grounds on which a member could be excused for his absence from an Election Committee meeting. These were—sudden accident or necessity. No such excuse had been offered, and the House was consequently left to choose between punishment and censure.

Mr. JOHN CAMERON said, taking the member for Montcalm's excuse, in connection with his conduct last session, it certainly seemed to him that there was something like a desire on his (Mr. Dufresne's) part to defeat the object of the law. He (Mr. Cameron) should, therefore, vote for the motion of the Hon. member for Cornwall.

Mr. DUNKIN said, that motion (J. S. Macdonald's) went either too far, or not far enough. If they did not believe the affidavit of the Hon. member for Montcalm—if they believed he was induced to absent himself from the Committee yesterday, by a desire to obstruct justice—if there was on his mind any disposition to violate the law—then he ought to be pretty severely dealt with, and not treated in the light way proposed by the Hon. member for Cornwall. But for his (Mr. Dunkin's) part, he fully believed the Hon. gentleman, for he had told a story which any intelligent man must see bare in its face, the strong probability or truth. He (Mr. Dunkin) must say, he had himself hesitated much in coming to a conclusion on the point, which had led the Hon. gentleman to absent himself from the Committee, though the conclusion he had formed at last, was certainly different from that of the Hon. gentleman. If the Hon. gentleman was sincere in his opinion—and he (Mr. Dunkin) as he had already said, did not doubt but he was—then the course which he had taken was the logical one, and he ought to be excused. If they had not excused Hon. members many times before on other grounds than those of "sudden accident or necessity," then he (Mr. Dunkin) would not, perhaps, have been prepared to excuse the Hon. gentleman.

Hon. Mr. CAUCHON thought it was necessary to know whether the member for Montcalm was going back to the Committee, and he hoped that Hon. member would declare his intentions, else the subject would recur to-morrow and the next day, and finally strict measures might have to be resorted to, to compel him to do his duty.

Mr. FERRES held there was no doubt that the member for Montcalm had somewhat neglected his duty, and that, at this moment, he should be at the bar of the House. He did not wish to punish him, for he believed that he had

had doubts as to whether he was bound to attend the Committee, but there could be no doubt that the Hon. gentleman's doubts were wrong.

Mr. ROBINSON said, he was almost tired to hear of the Quebec election business, and as he understood that if the excuse the Hon. member for Montcalm was accepted, he would attend the Committee, he hoped that excuse would be accepted. He did not believe the Hon. member had tried to impose upon the House, by feigning sickness; on the contrary, he regarded him as a straightforward gentleman, of an independent disposition, who professed not clearly to apprehend the law of the case, and he (Mr. Robinson) was not at all surprised at this, for six of the most eminent lawyers in the House had tried their hands at it, and all had given different interpretations. He was for giving him another trial, and hoped, that in a day or two, there would be an end of this troublesome matter.

Hon. J. S. McDONALD'S motion in amendment was then put and lost.—Yeas 45; nays 60.

YEAS:—Messrs. Aikens, Bell, Biggar, Bourassa, Bureau, Burwell, John Cameron, Campbell, Clark, Connor, Cook, Dorion, Dorland, Ferguson, Finlayson, Foley, Gould, Gowan, Harcourt, Holmes, Jobin, Laberge, Laframboise, Lemieux, Donald A. McDonald, John S. McDonald, Mattice, McDougall, McKellar, Mowat, Munro, Nottman, Papineau, Patrick, Piché, Walker, Powell, Dunbar Ross, James Ross, Rymal, Wm. Scott, Somerville, Stirton, Thidaudeau, White, Wright.—45.

NAYS:—Messrs. Abbott, Alleyne, Archangeault, Baby, Beaubien, Benjamin, Buchanan, Carling, Caron, Cayley, Attorney-General Cartier, Cauchon, Chapais, Cimon, Coutlée, Dalrymple, Daoust, Desaulniers, Dionne, Dubord, Dunkin, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loux, Attorney-General Macdonald, McCann, A. P. McDonald, Meagher, Solicitor-General Morin, Morrison, Ouimet, Panet, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, Scitote, Simard, Simpson, Sincennes, Starnes, Tassé, Tett, Turcotte, Webb, Whitney.—60.

Mr. DUNKIN moved, in amendment to Mr. Scitote's amendment, "That the facts stated, and verified upon oath, by Joseph Dufresne Esq., one of the members of the Committee appointed to enquire into into the circumstances of the Quebec contested Election, although they do not show that he was, by sudden accident or necessity, prevented from attending said Committee, yet establish—to the satisfaction of this House that he was not guilty of violation of the law, or contempt of this House, and therefore the House does not order him to be taken into custody by the Sergeant-at-arms, or censured therefore."

The motion was lost on division. Yeas 44; nays 60.

The House then divided on Hon. Mr. Scitote's amendment.—Yeas 64; nays 38.

BILLS READ A THIRD TIME.

BILL to amend Chap. 58 of the Consolidated Statutes of Canada, as regards the investment of money by Insurance Companies.—Hon. Mr. Copley.

BILL to amend Chap. 17 of the Consolidated Statutes of Upper Canada, as regards the Appointment of Constables.—Mr. Holmes.

BILL to remove doubts concerning the validity of the Marriages of the Religious Society of Friends, commonly called Quakers.—Mr. McGee.
The House then adjourned at 10:20.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, April 13, 1860.

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

PILOTS BELOW QUEBEC.

Sir E. P. TACHE moved that the parties interested in the passing of the Bill to incorporate the Pilots below Quebec, be heard by counsel at the Bar of the House.—Carried.

ASHBURTON TREATY.

Hon. Col. PRINCE stated that (as it appears to be doubtful whether the Statute passed in the 3rd year of the reign of His late Majesty, intitled "An Act respecting the apprehension of fugitive offenders from foreign countries, and delivering them up to justice," is still in force in Upper Canada, or whether the same has been virtually repealed by the Act passed in the 12th year of Her present Majesty, intitled "An Act respecting the Treaty between Her Majesty and the United States of America, for the apprehension and surrender of certain offenders," commonly called "The Ashburton Treaty;" and as it is of the utmost importance to the interests of society at large in this Province, and more especially to the inhabitants of its frontier, as well as to the due administration of justice, and to the preservation of a good understanding between the citizens of this Province and those of the United States) he would enquire of the Government as represented in this Council, whether it is their opinion that the first Act above mentioned is still in force, appearing, as it does, one of the Consolidated Statutes of Upper Canada; or whether they consider it to have been virtually repealed by the second Statute above mentioned; and (with the view of preventing Justices of the Peace, and others, falling into error and difficulties, by acting under the first mentioned Statute) he would further inquire whether the Government (should they consider it to be virtually repealed) intend bringing in any Bill during the present Session of Parliament, to repeal in terms the said Act, instead of allowing it to remain upon the Statute Book, apparently as part of the law of this land.

Hon. Mr. VANKOUGHNET stated in reply, that it was not usual for Hon. gentlemen to ask for the opinion of members of the Government in such matters—but he would answer the question. It was the opinion of the Law Officers that the

Act 3 Wm. IV. was repealed by the Ashburton Treaty. The Commissioner appointed to Consolidate the Statutes, not finding the former Statute repealed, had no alternative but to insert it amongst the other Statutes—as they had no power to leave it out—or to make laws.

CHALLENGING JURIES.

Hon. Mr. CAMPBELL in moving for the consideration of the Bill to regulate the challenging of Jurors as amended in Committee, stated that the Committee had so amended the Bill as in their opinion to act fairly towards the Crown and the prisoner. The right to peremptory challenges was restricted in some cases—in other cases it was not touched.

The Bill as amended was adopted, and ordered to be read a third time on Monday.

METROPOLITAN GAS AND WATER COMPANY, TORONTO.

Hon. Mr. ALLAN moved the second reading of the Bill to amend the Act Incorporating the Toronto Metropolitan Gas and Water Company. The object of the Bill was to divide the Consolidated Company into two—making the Water Company and Gas Company distinct bodies—as it was found inconvenient by the present Company to carry both on branches. The Water Company was to remain under the present Bill, and a new one was to be introduced for the Gas Company.

The Bill was read a second time.

DOWER.

Hon. Mr. CAMPBELL stated that he would postpone the consideration of the amendments to his Bill, for the assignment of Dower, until Mr. Patton's Bill for the abolition of Dower was first disposed of by the House—for if the House approved of the latter Bill, there would be no use in his going on with his Bill.

Hon. Mr. PATTON, in moving the second reading of his Bill to Abolish Dower in certain cases, said that he was sorry that his Hon. friend had thought proper to postpone his Bill, but as he was to commence he would explain his Bill. Its object was to provide that in the first place, that no widow should be entitled to Dower out of any lands which should have been absolutely disposed of by her husband in his life-time, or by his will. It also provided that no widow should be entitled to Dower out of any land of her husband, when it was declared in the deed by which such land was conveyed to him, or by deed executed by him, that his widow should not be entitled to Dower out of such land. Further provisions in the Bill provided that the wife's Dower might be barred by a declaration in her husband's will—and her Dower should be subject to such restrictions as he by his will, her husband, should declare. An agreement not to bar Dower could be enforced. Finally, it was provided that the Act should not take effect before the 1st of January, 1861,—and consequently that it could not effect any vested rights under the present law up to that time. The Act only extended to Upper Canada. The Hon. gentle-

man said that, when he stated in the House some time ago, that his Hon. friend's Bill (Mr. Campbell's) did not go far enough, there was a cry of horror—but he (Mr. Patton) did not think that cry was warranted, inasmuch as his Bill was founded on the law of England, which had been passed in the year 1833. The Act passed in that year was founded on the report of Commissioners appointed to investigate the matter. The report of those Commissioners was presented in 1829—the Bill was passed in 1833. The Commissioners were four of the ablest Lawyers, in Chancery and Common Law, of whom the chief was Lord Campbell, the present Lord Chancellor. The Hon. gentleman quoted from the report, in favor of the principle of his Bill, and then went on to say that, in this country, where the transfer of property was so common, it was the duty of the Legislature to see that no impediment was placed in the way of that transfer. The transfer of property was long recognized by the Legislature—it was of daily occurrence, and every facility should be given to enable it to be carried out with perfect freedom. It was objected to the Bill, that it was a hard thing to take away the Widow's third—especially since, in many cases, she contributed as much as her husband to amass the property. This might be true enough. But would those who argued in this manner, go further, and say that as soon as a man and woman were married, they should set up antagonistic claims—that they should have separate rights—and that in the event of power of disposing of his property, unaffected by Dower, being given to the man, he would wrong his wife, and take away from her the means of subsistence after his death? Rather would not the husband, knowing that by the law his wife could not have her Dower, take care to leave her sufficient means to maintain her after his death. The arguments which he advanced in favor of the bill were not his alone. He had looked into the subject, and read the opinions of all those persons whose opinions carried weight, and he found that they all approved of the principle. The opinion of Mr. Sergeant Stephens, which the Hon. gentleman read, was decidedly in favor of it. There were also other eminent men of the English Bar who had approved of it. He trusted that Hon. gentlemen of the Council would express their opinion on his Bill, and allow it to go to a Select Committee.

Hon. Mr. VANKOUGHNET was not in favor of the Bill. He did not think that the opinions of the gentlemen in England as to the expediency of such a Bill there, sufficient to warrant the introduction here. Nor did the same reason exist in the country for such a Bill as existed in England. The composition of the Society in England has not the same as in Canada—its wants were not the same—nor was it the same in nature. The value of land was also fixed in England, while it was not in Canada. In England, generally speaking, there were always made marriage settlements, and provisions for wife and children. Such things were not com-

mon in Canada—the rule being quite the opposite to what it is in England. In England, the property being large and valuable, there was no difficulty in taking care of the wife and children; and their society having attained to a fixed station, there was not the same difficulty as would exist here as to the apportionment of widows. Again, let Hon. gentlemen remember that if the principle of the Bill was applied to Canada, it would prove a hardship to the poorer classes, while the evils it sought to correct in the richer classes, really did not exist. The loss by a poor widow of her dower, would perhaps leave her penniless. And, in many instances, the wife contributes just as much towards enhancing the value of the property as the husband. He, himself, in his official capacity, had many such instances brought before him, and he always endeavored that the widow should not be deprived of her rights. He felt convinced that the present Law of Dower was a wise one. It protected the rights of the poor widow—and if it were abolished, great hardship would be introduced. Again, apart from the consideration that it would not be right to leave the widow entirely at the mercy of her offspring, supposing that she had any for her subsistence after her husband's death—supposing that the husband was a drunkard, and, as often happened, in a fit of inebriation wished to part with his property. What check would there be on him in this case, if there was no necessity for the wife to release her dower? Often and often it had happened that this very matter of the dower was the only thing that had prevented the man under such circumstances from selling his property;—the wife refusing to sign away her dower, and thus protecting the property until the husband was sober to see his folly. The restriction in this case was a very valuable one, and he should be sorry to see it removed. He would again repeat that none of the reasons which induced the Commissioners in England to report a Dower Abolition Bill existed in Canada. Perhaps some of them did—but certainly very few. Of course the law of dower as at present administered in Canada, at times gave a great deal of difficulty to conveyancers in perfecting titles. But this was a slight matter, and did not call for such a remedy as the Abolition of Dower altogether. He had no doubt that if there was a Committee of lawyers appointed to report on the matter, that they would report on the Abolition of Dower, because it gave them a great deal of trouble. But he (Mr. Vankoughnet) did not look on the matter in that light, and he would accordingly vote against the Bill.

Hon. Mr. BOULTON seconded the second reading of the Bill. He considered the inconveniences arising as to titles from the present law of dower, enough to ensure its abolition; and drew the attention of the House to the fact that, while in England, land was bought for the purpose of being handed down from father to son—in Canada it was bought with a view to make money by its immediate sale again. And

in this case, dower was an impediment to its free transfer. He also condemned the present system of Dower, because it often stood in the way of the honest creditor getting his money from his debtor. He knew several instances in which this occurred.

Hon. Col. PRINCE did not think there was any hardship in the Bill, as it was not retrospective. Its provisions would not come into force until the 1st of January next. He hoped it would be allowed to go to a Select Committee.

Hon. Mr. CAMPBELL hoped that the Bill would not be allowed to go to a second reading. In addition to what had fallen from the Hon. Commissioner of Crown Lands, which he fully concurred in, he begged to inform the House that in the United States, where they were not a very conservative people, dower was not abolished, but existed with some modifications in all the States.

Hon. Mr. ALLAN thought that the Bill ought to be allowed to go to a second reading; and instanced many cases of hardships which had arisen as to titles under the present law of Dower, and suggested that some remedy ought to be applied to the relief of innocent holders pestered with Dower claims.

Hon. Mr. FERGUSON hoped that the Bill would not be allowed to be read a second time. The Bill would have a most pernicious effect on the poorer classes, if it became law.

Hon. Mr. MURNEY was sure that if it was allowed to go to a second reading, a good Bill could be made out of it.

Hon. Mr. DeBLAQUIRE entirely concurred in what had fallen from the Hon. Commissioner of Crown Lands, as to the Bill.

Hon. Mr. FERRIER very seldom spoke, but he must be permitted to state his concurrence in what the Hon. Commissioner of Crown Lands, and Hon. Mr. Campbell had stated with reference to the Bill. He would not wish to see the Bill go to a second reading, as it placed the woman completely at the mercy of the man.

Hon. Mr. SIMPSON thought that some protection ought to be afforded to innocent holders against ancient revivals of Dower.

Hon. Mr. PATTON briefly and ably reviewed the argument advanced against the Bill.

The House then divided on the motion for the second reading, which was lost.—Yeas 11; Nays 24.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, April 13, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the Town of Ingersoll, and divide the same into wards.—Dr. Connor.

BILL to Incorporate the Melbourne Female Seminary.—Mr. Webb.

BILL to extend certain provisions of the Consolidated Assessment Act of Upper Canada to cities.—Mr. Buchanan.

BILL (From the Legislative Council) to extend the jurisdiction of County Courts in Upper Canada.—Hon. Mr. Foley.

BILL for the suppression of Intemperance—Mr. Clark.

BILL to extend the Act, respecting the investigation of accidents by fire to country parts.—Hon. Mr. Morin.

LAW OF CONTESTED ELECTIONS.

Hon. Mr. SICOTTE moved for leave to introduce a Bill to establish a more expeditious mode of determining contested elections. He was quite convinced that the present system of trying contested Elections by special Committees of the House, was imperfect, and inefficient. Such Committees could not have either the impartiality or the independence required to decide important cases. Party spirit would always have its influence. He had endeavoured, therefore, to frame a law which would secure an impartial and prompt decision, when such cases arose. He thought that end would be attained by submitting those questions to the ordinary tribunals of the country—in Lower Canada to the superior Courts, and in Upper Canada, either to the Superior Courts, or the Courts of Common Law. The trials would take place in the usual manner, with the exception that the proceedings when commenced, must be continued until the case was decided. The Bill provided that the petition must be presented fifteen days after the closing of the Election. The summons to the party against whom the petition was presented, must be made in the usual form. A short delay would be allowed between the service of the writ, and the date of the return. Four days after the return to court, the party accused was bound to fill his plea. Four days after the last answer of the party complaining in answer to the plea, the evidence would be adduced on the part of the complaining party; and when this evidence was commenced they should proceed without adjournment to its close. Four days after that evidence was closed, the party accused would be required to bring in his evidence, and he also would be required to proceed to its close without adjournment. After the evidence of both sides was complete, the Court would be obliged to fix the time for the final bearing of the petition, and the judge should be obliged to use all diligence, to render a speedy judgment. Such was substantially the Bill he wished to substitute for the present system; in matters of detail concerning Upper Canada, he might have made some omissions, but he had endeavoured as far as possible to place the judges beyond the reach of accusation, for partiality or want of independence. The judge would have power to declare the election null and void, but would not have to apply any abstract principle of law. The province of the judge would be simply to ascertain whether the facts stated had or had

not been proved. There would be no subsequent interference by Parliament, but the clerk would inform each branch of the Legislature, that he had received the judgment from such a Court; it would be registered in the proceedings of each House, and the next day the Speaker would declare that he had issued a warrant for a new election. It might be objected that the effect of this Bill would be prejudicial to judges or tribunals, but the course of the judges was rendered so clear, that they could hardly fail to render justice satisfactorily.

Hon. Mr. DORION thought the Bill would receive the hearty support of the whole House. (Hear, hear.) It must be evident to all that the present method had proved inefficient, and ought not to be continued. He believed the present Bill met almost every requirement, and he hoped a more speedy and effective method of trying contested elections would hereafter be adopted.

Hon. J. S. MACDONALD acknowledged that the proceedings of Parliamentary Committees on contested elections, had been of a character to disgust almost every honest member of the House, but it was an unusual and a dangerous step for the House to transfer its control in these matters to irresponsible parties. (Hear, hear.) Better, far, would it be to suffer these wrongs at least a little longer, or until the moral sense of the people had been so educated that they would perform their duty faithfully. In England, that power had never been delegated to any tribunal beyond their own Committee. If these matters were brought under the control of the Judges, it would be likely to prejudice the Judges in the opinion of the people. It was enough to have them charged with Municipal elections as they were already. It was for the House to set an example of fair jurisdiction, instead of handing these matters over to the Judges, because they could not decide them fairly. If the Judges were unable to decide, or found it convenient to delay a case, they could always find a precedent in the conduct of the Committees of the House, and thus exculpate themselves. Had the Courts that power, it might be sometimes felt that men were sitting among them in the House who represented the Judges instead of the people. (Hear, hear.) It was their own fault that such delays had taken place in the trial of contested elections, and if the House would do its duty, there would be no necessity for the measure now proposed.

Mr. CAUCHON was of opinion that, questions regarding contested elections should be referred to the tribunals of the country; the Judges were more learned in law and better able to administer justice, than the Committees generally appointed by the House. He had no fear that party feeling would influence their decisions; they knew that justice was expected of them, and regard for their reputation would prevent them from betraying the confidence of the country. The question before the House was between the two tribunals, and he (Mr. Cauchon) had no hesitation in deciding in favor of that of the Judges. If the principle was a good

one, why should they be afraid to proclaim it? The Judges had, at present, the power of deciding questions in Municipal Elections, and also the power to determine who was entitled to vote. He could see nothing objectionable in the Bill proposed by the Hon. member for St. Hyacinthe.

Mr. PICHE said, the true safeguard of our institutions was found in the Judiciary, and though it might be true that there had been weak Judges, yet, on the whole, it was with them, especially in election matters, that real independence was found. In the Committees, influences unfavorable to justice to the contestants were found, and if we had not had the legal tribunals to refer to, who doubts but that Mr. Fellowes would now sit in the House? Public opinion was unquestionably in favor of having such questions tried by the Judges, for, it was felt, it was a mere delusion to expect equitable decisions from Parliament itself. If one law more than another was likely to insure justice at the elections, it was that proposed by the Hon. member for St. Hyacinthe, and until such a law was passed, there could be no hope for a fair representation. The member from Cornwall thought that, until the people themselves were better instructed, Parliament could not be expected to be pure, and he admitted that the people were open to corruption, yet, there was less weakness even among the people, in this respect, than among some who assumed to know better. And the objections to extend the liberties of the people, were based, in fact, upon the fear that gold could not always buy them. In England, the principles of the Bill now before the House, were fully acknowledged, and the tendency of legislation there was in the same direction.

Mr. TURCOTTE said, that the first inconvenience of the Bill now proposed, had been exhibited in the course of the speech of the Hon. member who had, for the first time in the House admitted, that in some instances, the Judges had not been free from suspicion of partiality.

Hon. J. S. MACDONALD—And the next thing would be, that they would be cited to the Bar of the House on such a charge. (Hear, hear.)

Mr. TURCOTTE said, that by giving them the power proposed by the Bill, they would be dragged into the political arena, and the consequences would be most disastrous to the independence of the Bench. And so far from the Committees having always decided for the candidate favored by the majority of the House, the reverse had been more frequently the case. He (Mr. Turcotte) would leave to the Judges what was not above them, but he would reserve the supreme power to Parliament. The Committees were always under the eyes of the House, and that would be found generally sufficient to prevent serious irregularities.

Hon. Mr. MOWAT said, that the measure proposed was one of the greatest importance, and that it needed special consideration, but it was clear that the system now in existence was extremely unsatisfactory, and if he were compelled

at once to choose between that of the Bill and that in force, he would have no hesitation in taking the former. He was sure that more contests now took place for seats than would be attempted, were it not that the contestants hoped that party Committees would be named which would favor their pretensions; while, on the other hand, parties having good grounds of appeal to the House, refrained from pressing them, because they feared the majority was adverse to the principles they held. Then, as to the relative independence of the Judges and the Committees on election cases, he had no hesitation to say, that the former were the most likely to feel the responsibility of the duties entrusted to them. The Judges might possibly be party men, though that was not likely, but Committees were, and of necessity must be party men. Now, it was found that even in the Municipal Elections in Upper Canada, though the County Judges were more or less interested in the contests and identified with the parties to them, that yet, their decisions in such cases had given general satisfaction. It was, undoubtedly, to be regretted that any political questions at all should have to be submitted to the Judges, yet it could not be avoided; and, at any rate, he did not believe there would be any danger in giving them the power contemplated by the Bill. He, of course, alluded only to the general principles enunciated by the mover, and the details would require to be considered and framed with much care, but he thought it would not be difficult to make them satisfactory.

Mr. McDougall said it was clear that the system now prevailing was very defective, and required change. With reference to a similar system in England, it had been said by Mr. Warren, who had written a good deal on the subject of Election Laws, that so soon as the composition of an Election Committee was known, it was understood what its decision would be, and though there might be a little exaggeration, there was too much truth in the remark. Lord Brougham had also felt, and strongly expressed his opinion of a change upon that system, as he would show from his own words. (Mr. McDougall here read some extracts in support of the allegation.) Yet, while admitting the necessity of a change, he was not prepared to commit the decision of contested election questions to the Courts of law, which, if possible, should be kept entirely free from politics. Nor did he believe that it would be prudent, at all times, to entrust the Judges with such cases, for they were not entirely free from the suspicion of political bias. He thought it would not be impossible to create a tribunal which would be perfectly competent to deal with such subjects, and in which both the House and the public would have perfect confidence.

Dr. CONNOR said he did not at all share in the fears of the Hon. member for North Oxford, that the committing of contested election questions to the decision of the Judges, would bring the administration of justice under suspicion, and he defied any Hon. member to say that any

of the judgments they had rendered in such trials had excited the least dissatisfaction. The Judges of Upper Canada enjoyed the unbounded confidence of the people, and no tribunal could be chosen that would be more free from the influence of party feeling. But, on the other hand, he contended that the tribunals appointed by Parliament had utterly failed to satisfy their commonest ideas of justice. (Hear, hear.) The present system had failed in England, and if it had failed there, how much must it have failed here, where not only was party arrayed against party, but, too often, language against language, creed against creed, and nation and nation.— But no one could doubt the fact, in the face of the Quebec Election. Here they had a high Minister of the Crown retaining his seat, session after session, without any decision being arrived at. Therefore, seeing the necessity of some change in the present system, he thought they could not make any mistake in leaving the trial of all contested elections to the ordinary tribunals of the country. The honor and integrity of the Judges of Upper Canada was unquestioned. Notwithstanding that a narrow circle of sour-minded persons had, a short time ago, endeavored to raise a feeling amongst the people against them. (Ministerial cheers.)

DIRECT TRADE WITH FRANCE, &c.

On the motion of Hon. Mr. GALT, the House went into Committee of the Whole, on the Resolutions on the subject of constituting Free Ports, and promoting direct trade between this Province and France.

Mr. BRN JAMIN in the chair.

Hon. Mr. GALT, in moving the adoption of the Resolutions, said it was unnecessary for him to repeat the explanation of them, which he gave the other evening. He believed the objects aimed at, commended themselves to the House, and it would very much strengthen the hands of the Government, in endeavoring to attain those objects, if the Resolutions could be adopted unanimously. Since he had brought the Resolutions under the notice of the House, he had been informed by the French Consul, that there was a measure now before the French Senate, for the purpose of opening up the trade of the West India Islands. This measure might hereafter be of considerable importance to us. Up to the present time, it might be said that trade had been prohibited. It was well known that the articles which entered into consumption there, were the same as in our own Colonies.

Mr. McGEE inquired whether the proposed Free Ports would be open to all countries?

Hon. Mr. GALT replied in the affirmative.

Hon. Mr. DORION said he had hardly anticipated all the advantages from the Resolutions contemplated by the Hon. Minister of Finance. The objects aimed at were, no doubt, good. It was certainly desirable to foster direct trade with France, and as regarded that Resolution, he certainly could not offer much opposition to it, seeing that it proposed a reduction of duties on those articles, which he (Mr. Dorion) had always contended should be admitted at a low

duty. He thought the introduction of French wines into this country would do more to promote the cause of temperance than all the measures proposed during the last few years. Where the French wines were used as a daily beverage, the people were of temperate habits. Very seldom, indeed, did any one, travelling through France, see a person intoxicated.

A Voice.—What of the importation of brandy?

Hon. Mr. DORION—Brandy was not used in those countries to the same extent as in others. As regarded the proposed Free Ports, he did not think they would prove very beneficial. The price of flour would not be much affected by the number of vessels which would come up the St. Lawrence to get fish; they would not, in his opinion, purchase the goods produced in this country. Neither did he see that we should derive much benefit from the advantages which were to be held out to us, by the French Government. Timber was admitted now, even in foreign bottoms, almost duty free. The only thing from which we could derive advantage, would be in a relaxation of the Navigation Laws—a reduction in the duty on ships; and he was not aware whether or not the Minister of Finance anticipated an advantage in this direction.

Hon. Mr. MERRITT said, that some years ago a Committee of this House had applied to the West India Government to know whether they would enter into a Reciprocity Treaty with us, for the free exchange of productions, and the Governments of those Islands were highly delighted with the idea, but the British Government had written a despatch to the Governor General, directing him to refuse his assent to any such arrangements. Such had been the British policy on the subject, because our offer interfered with their discriminating duties, but that was passed, and he hoped, too, the time for private despatches. He approved of the Resolutions, which he believed would promote a large trade at Gaspé, and perhaps smuggling with the Lower Provinces and the United States, to which he did not object. He had always held the principles of free trade, and as these Resolutions, in fact, proposed to allow Gaspé to carry on such a trade, he was in favor of them, and hoped that that District would be greatly profited by it.

Mr. LEBOUTILLIER said, that in Prince Edward Island, the duties were only 6½ per cent., *ad valorem*, for which the importer was allowed six months credit. In Halifax, the fishermen and traders who resorted to the Gulf to Labrador and the North Shore coasts, received their supplies from the warehouses, with a draw back equal to the import duties, and on the west side of Newfoundland, where a large fishery was carried on, there was no Custom House at all, and of course, no duties were levied upon the imports. But look at the French Island of Miquelon, where, not only all imports were free, but where

a bounty of 10 franks per cwt. of fish was allowed, and paid by the State, and in this way he believed a sum equal to £500,000 was annually paid to foster the fisheries. In the face of these facts, how was it possible for Canadians to compete with those he had named. All countries that had fisheries of importance, had invariably fostered them in some way, and continued to do so, and he hoped Canada would now follow the example. Unfortunately, with us, that branch of our industry had been neglected, and he might say crippled. Was it a wonder then, that it was yet in its infancy, and our exports of fish comparatively nominal. It was no wonder that there was not yet a maritime town on the Gulf shore, and that our Railroads and Canals, which had cost a mint of money, had not, as yet, been so remunerating as might be desired. But if the fish trade were properly encouraged, there was no doubt that the travel and freight which would result, would go some small way at least, towards making up the lack. Now, was it to be wondered at, that we had lost our West India trade, and that we were obliged to import mariners to sail our new ships, or that there were no small capitalists in those coasts, and a larger population at the back. He held that the legitimate effect of the Resolutions, if they issued in a law, would be a vastly increased trade, and of course, of a large market for labour.—The measure under consideration was one of the most patriotic ever offered to Parliament, for, in his judgment, it involved no sacrifice worthy of comparison with the benefits which were sure to flow from its adoption. It could not be said that it was a measure of local or sectional interest, but it was one which had in view the interests of all classes, from the banker to the beggar, and he was happy to find that, through the establishment of the Gulf Line of steamboats, and the consequent travel to the fishing coasts, of some members of the House, the importance of the subject under discussion, was beginning to be better understood and appreciated.

Hon. Mr. BROWN said a direct trade with France would hardly be produced by these resolutions. But they might be beneficial in directing public attention to the subject. As to the establishment of the Free Ports, the proposition simply amounted to this—that those sections of the country were to be provided with goods free of duty, while the rest of the country was to be made to contribute their share, as well as their own to the maintenance of the Government, and would not the establishment of those free ports be a direct encouragement to smuggling? With regard to the reciprocity treaty, many persons in the United States were opposed to it, and this would furnish them with an additional argument against it.

(To be Continued.)

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, April 13, 1860.

DIRECT TRADE WITH FRANCE, &c.

(Concluded from our last No.)

Hon. FINANCE MINISTER said that some time ago when we talked of increasing our duties it was cried out against, because it would interfere with the reciprocity treaty. Now he proposed taking off the duty altogether, and it was complained of still more. (Laughter.)

Hon. Mr. SCOTTE enquired whether goods admitted free of duty would yield no revenue.

Hon. FINANCE MINISTER said that those goods, consumed where introduced, would yield no revenue. As regards the Reciprocity treaty, we should not in all our legislation be continually asking whether it will please our Southern neighbours, Canada had fulfilled her part of that treaty.

Hon. Mr. BROWN said the Hon. gentleman had not touched upon the expense of this scheme—a very grave point.

Hon. FINANCE MINISTER said the expense would be no greater than at present.

Hon. J. S. McDONALD thought the few goods shipped through Canada would be of little consequence to our commercial towns, and if we could thus benefit the north-western country, we ought not to object to this measure, especially if emigration would be promoted thereby. As regarded the Free Ports, he thought it would not obtain the assent of the British Government. In 1843, Lord John Russel had warned us that such measures would interfere with the Imperial policy, and since that time, nothing of the kind had been attempted by the Canadian Legislature. Were it not for that protest, a most beneficial trade might be opened with the West Indies.

Mr. BUCHANAN was in favor of the Bill, but thought great precautions would be necessary to prevent smuggling.

Mr. PRICE said, that as regarded smuggling, he could inform the House that two thirds of the people engaged in the fishing trade received their supplies by schooners from the Mother country, which landed their goods directly into fishing craft, and so never touched shore at all. He thought the benefits to the country of the establishment of Free Ports would be very great. The trade with the West Indies and with France would rapidly increase. As regarded the north-west, it was not only mining that needed encouragement, but the trade in white-fish was of much more importance than was generally supposed.

Mr. J. B. ROBINSON said, we had a large country and but few people, and he should favor all measures that would tend, as this one did, to supply a population and increase our trade.

Mr. McGEE would be glad to know what beneficial effects were likely to flow from the establishment of a Free Port at Sault Ste. Marie.

Hon. Mr. GALT had no particular data whereon to found calculations as to the trade with Red River that might be expected to follow the establishment of such a Port. The communications, at present, were not very favorable to the carrying on of such a trade, but it was anticipated that they would soon be improved, and that the inhabitants of that settlement would find it to their advantage to go there for goods; from which, it would follow, that parties at Ste. Marie would buy goods in Bond at Toronto so as to meet their wants. The establishment of such a Port was therefore proposed, rather with a view to future than to any present operations.

Mr. DAWSON went into an elaborate explanation, to show that the Lake Superior route was better than that by St. Paul, and one reason why it was not more used was, that the people of Red River bought their goods in Bond, and so escaped the duty they would have to pay in Canada. Another was, that they could go to St. Paul's and return by the same conveyances; whereas, if they came by Lake Superior, they

would have to change the mode of travel, which would involve an inconvenience they were not prepared to meet. But, as there was reason to believe that the means of reaching Red River from Canada would soon be much improved, there was no doubt that the establishment of a Free Port at Sault Ste. Marie, would immediately result in the creation of a large and direct trade with Red River.

The Committee rose and reported the Resolutions.

Hon. Mr. GALT then introduced two Bills founded upon them, which were respectively read a first time.

REPRESENTATION OF THE PEOPLE IN THE LEGISLATIVE ASSEMBLY.

Hon. Mr. CARTIER moved the House into Committee on this Bill.

Hon. Mr. DORION objected to the Bill because it made unjust divisions of the population in the cities to which it applied, thus a very inconsiderable number of electors in Montreal would return a member, while a number four or five times as large would only have a similar representation. In Montreal the Centre Division contained about 11,000 voters, the West 5,200, and the East 3,800, and yet each of these Divisions would be represented by one man as if they were of equal political value. He had always avoided making distinctions of race and region, but he could not help saying in this case that the French Roman Catholics of Montreal under this Bill would be very unjustly dealt with. The French electors of Montreal had never refused to allow the British part of the inhabitants to elect a member to represent them, but having the majority they had the opportunity of stipulating that no person violently opposed to them should be named, and there had been no difficulty to agree upon a choice. Under the proposed Bill the French Canadians never could return more than one member, while the Irish would assuredly be disfranchised. If there had been a desire to recognize the nationalities, which he did not however approve, a very different division could have been made, for instance, if the St. Lawrence Ward had been joined to the Centre, the members would have been better balanced, and the Irish would, in all probability, have been able to return a member of their own. (Mr. Dorion here went into copious statistics of the origin of the voters in the several divisions and of the relations they sustained as proprietors and occupiers; also showing that a large number of the English speaking inhabitants would have in some cases two, and in others three votes, from the fact of occupying offices in the Centre, and owning property in the two other Divisions.) He was the more surprised that the Hon. Attorney General should have introduced such a Bill, since he, in past times had been so indignant at the proclamation of Lord Sydenham by which the Suburbs were detached from the cities of Quebec and Montreal, and annexed to the Counties. He considered the proposed Bill, as

an attempt to reach some desired end by a palpable fraud. A committee of the House had reported upon the proclamation of Lord Sydenham, and had anticipated by their strong representations of the injustice perpetrated the remarks he had proposed to offer on the present occasion, (Mr. Dorion then proceeded to give an account of several elections in Montreal, tending to show that commerce had always been well represented there, and that the French Canadians had never shown any illiberality towards the inhabitants of different origins.) This liberality was further shown by the fact, that though, in Lower Canada, not more than one quarter of the population were of English origin, yet out of 65 members, they returned 22 members, while the three other quarters composed of French Canadians, were content with 43. Lord Durham in his report had expressly deprecated such modes of representation as were now attempted by the Bill, characterizing them as electoral frauds, and had said that if the French Canadians were to be deprived of their political power, it was better to do it in an open and straightforward manner, than by such underhanded means. No petitions had been presented asking for the proposed change, and no violence had arisen, at the late elections, justifying it. A meeting had been held in Montreal, to protest against the Bill, and he (Mr. Dorion) had presented a petition signed by 1,300 persons on the evening of that meeting, which would be followed by other similar ones, praying that the Bill be not allowed to pass. He had no doubt that the parties who would profit or who expected to profit by the Bill, would before long find themselves seriously mistaken, and especially if the Atty. General (East) expected by it to come back to the House, he would most certainly be disappointed, unless he ran for the Centre, for he might depend upon it, that, as at the last General Election, so at the next his own compatriots would leave him at the foot of the poll. He would now move that the House do not now go into Committee on the Bill, but that it go into Committee this day three months.

Hon. Mr. ROSE explained that the city of Montreal, was divided into three Divisions, the East, Central and West. In the East Division the French Canadians had a large majority. In the Central also they had a majority; and the West Division, at the last election, gave to the two Hon. members opposite a majority of 703. Where, then, was the possibility of the great injustice to the French Canadians, of which the Hon. member (Mr. Dorion) was so much afraid? He would congratulate that Hon. gentleman upon having become a complete convert to the doctrine of Representation by Population, for that had been the burden of his argument. But putting aside the question of numbers, there would still be no injustice done. The revenue last year of the Central Division was \$114,000—of the East Division only 38,000, and of the West Division \$76,000. The smallest division gave nearly double the revenue of the largest. The

actual value of Real Estate in each was as follows:—

Central Division - - - -	\$9,700,000
East - - - - -	4,900,000
West - - - - -	12,000,000

The rental value of the Central was \$600,000—of the East \$45,000—of the West \$890,000. Where then was the great disparity, except in the mere question of numbers? Further, with reference to the principle of numbers, how did that govern in England? The Hon. Junior member for Montreal had the other night referred to London, and he (Mr. Rose) would show how far members were allowed to rule there. The Tower Hamlets, which returned two members, had a population of 530,000; Middlesex, which also returned two members, had a population of 1,800,000; and the City of London proper, which returned four members—twice as many as the Tower Hamlets, and Middlesex—had a population of only 127,000.

Mr. MACDOUGAL—And yet you wish to introduce that principle here?

Hon. Mr. ROSE—Nothing of the kind. He contended that numbers ought not to be the sole basis of representation: he was simply replying to the argument of the Hon. Senior member for Montreal, that there had not been an equitable division, so far as members were concerned.

Mr. LANGEVIN would have preferred, if possible, that the representation of the Cities should have remained as it was, but the last Quebec election had shown that the system required some change, in order to prevent trouble. He had heard a petition from the Board of Trade of Quebec, against the Bill, but that body did not represent a very considerable number of persons, and he was prepared to show that they had no good reason for complaint. The Western Division would be the Commercial one, and the Merchants having a vote there, would also have votes in the Divisions in which they resided. It was true that by their two votes, they would not elect two members of English extraction, nor did it follow that they would be always able to secure the return of their own nominee, for the Irish had a right to say something in the elections, and to be occasionally represented also, hence the English and the Irish would take turns. Of course, the French Canadians, which were as forty or forty five thousand against twenty or twenty five thousand English and Irish, would always be able to elect, as they had a right, two members. The Divisions were so arranged by the Bill, as to numbers, as to be nearly equal, but the Central Division, which would be the smallest in this respect, owned the largest amount of property, and this would balance the other disadvantage. The most of these gentlemen would have votes in the Western Division, as well as in the Central one, where they chiefly resided, and as most of them employed a large number of men, if they did not succeed in returning a member, it would be because they did not exert the influence their position might be expected to give them. On the whole, so far as Quebec was concerned, he

thought the Bill would do justice to all parties.

Mr. MCGEE contended, that, although the Bill was framed so as to take in the three cities of Montreal, Toronto and Quebec, yet, that it was at Montreal alone it was named. The reason for this was easily divined. It was because in the winter of 1857, Montreal had rejected the Attorney-General East, and barely returned the present Commissioner for Public Works. It was for this crime that a portion of the inhabitants of that city—many of them those who formerly were the staunch supporters of the Premier—were to be virtually disfranchised. There was a feeling in Montreal that this Bill was aimed at the Senior member from Montreal, and at himself (Mr. McGee.) And he warned the Government that such an attempt, as far as he was concerned, would fail. It would be impossible to keep him out from the representation of that portion of the city where his own friends dwelt. Such a proceeding would, so far from having the desired effect, strengthen his hands. Apart from this, he would allude to the unfair comparison which the Hon. Commissioner of Public Works, had instituted between the cities in Canada, and the capital of England. London.—It was a schoolboy proceeding, and he wondered that it should have been brought forward.—While he condemned the principle of the Bill, he could not help saying, that as to how it would affect himself, he had no thought. It might not be desirable always to be in public life. Yet, while he was in it, he would endeavor to act honestly, as he trusted, he always acted, eschewing nationality—that is, a French Canadian nationality, or an Irish nationality. There should be only one nationality. He was sorry to see the Bill before the House was antagonistic to this true nationality. It was brought in by Hon. gentlemen who held their seats only by sufferance, and by sectional parties. It was because he had, at heart, the interest of the people, that he should vote against this Bill.

Hon. Atty. Gen. CARTIER said the senior member for Montreal had not, and did not deserve the confidence of the French Canadians of that city, whom this Bill did in reality favor. At present there were only 4,000 French electors among the 10,000 electors of Montreal, so they were never sure of electing a French Canadian, but under the system he proposed they might always return at least one.

Mr. ROBINSON said, as the people of Toronto seemed to take little interest in the measure, it was a matter of perfect indifference to himself whether it carried or whether it did not. Of course, as the Ministry had introduced it, it would certainly share the fate of all the measures introduced by them—it must, of necessity, be carried. The effect of it would be, undoubtedly, to diminish his influence; for a man was not of the same consequence when he represented 25,000, as when he represented 50,000.

Hon. Mr. BROWN thought it most unjust to give a rich man two votes, where a poor man had only one. (Hear, hear.) It was true that such was the case to some extent in the country,

but the sooner it was done away with the better. But here was a new step in the wrong direction, and it would seriously affect the elections in the cities to which it applied. To give one member to a thousand electors, and another to five thousand, seemed a proposition so unjust, that he did not see how any one could sustain it for a moment.

The question was then put on Hon. Mr. *Dorion's* amendment, which was lost on a division.

The original motion was then carried, and the House went in Committee—Mr. *Harwood* in the chair.

The Committee went through the Bill, and reported the same with some amendments.

The House adjourned at two o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Monday, April 16, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

PAPER MAKING.

Hon. Mr. ALLAN introduced a Bill relative to the issuing of a patent for the making of paper.

The Bill was read a first time and ordered to be read a second time on Wednesday.

WOOLLEN MANUFACTORY.

Hon. Mr. ALEXANDER introduced a Bill to incorporate the Woodstock Woollen and Cotton Manufactory.

The Bill was read a first time, and ordered for a second reading on Wednesday.

TOWN OF LINDSAY.

Hon. Mr. SIMPSON introduced a Bill to amend the Act incorporating the Town of Lindsay.

The Bill was read a first time, and ordered to be read a second time on Thursday.

TRADE OF CANADA.

Hon. Mr. DEBLAQUIERE moved for the adoption of a series of resolutions, affirming that the route from this Province to Great Britain and the Continent of Europe, being shorter than the New York route, it presented the best line for the transmission of the agricultural production of Western America, also of the Cotton trade, and the timber trade, including masts, staves, and pine timber. It was also affirmed that a commercial treaty having been concluded between France and England, and the Emperor of the French having already endeavoured to ascertain if direct commercial intercourse with this Province, would not be attended with mutual advantage to France and Great Britain, it was desirable that arrangements should be made to secure so eminent an advantage. France it was resolved presented a good market for Canadian ships, masts and staves,—also for the production of the Fisheries. The enlargement of the Welland Canal, was set down as essentially necessary. Also the reduction of tolls on Canadian Canals. Also the deepening of the locks

in the Lower Canadian Waters, and the erection of lighthouses in the Gulf of St. Lawrence. All Imperial restriction on Provincial Commerce should be at once removed, and Canada sell at the best markets, and buy at the cheapest. On those resolutions it was moved that an Address be presented to His Excellency the Governor General, praying that His Excellency, under the advice of his Council, would be pleased to take such steps as might be necessary, consistent with due regard to the fulfilment of public engagements already entered into, and the maintenance of the public credit of the Province, for the accomplishment of the several objects herein set forth, in such manner as His Excellency might deem expedient.

The Hon. gentleman prefaced his remarks by alluding to the present state of the relation between the Mother Country and England. To judge from the anxiety which many persons manifested on the subject, he said that we would think that a French fleet was on its way out to take Quebec itself. Whereas, there was really no cause for alarm. He believed in the professions of the Emperor of the French towards England, and he felt convinced that when Lord John Russell made the speech in the House of Commons which caused the alarm, that he knew there was no danger of a termination of the friendly relations of France and England. The Hon. gentleman then entered into a history of the Italian question, out of which the present unpleasant feeling arose, and said that he did not think it a sufficient cause of quarrel, that France should take such steps as she thought necessary to secure her territory. He thought it most unfortunate that anything should occur to disturb the harmony that at present existed between the two countries, and contended that Canada at least should not participate in the general feeling, if he could remove any unfounded fears that existed. With regard to the resolution before the House, he contended that it would be admitted on all hands that the trade between France and this country was necessary to the development of the national resources of the Province—and not only would the increasing trade of the Province profitably employ those public works which had already been constructed, but provision would have to be made for increasing traffic. The Welland Canal would have to be widened. This was provided for in the ninth resolution. But necessary as this great work was he must confess that as it would entail a dreadful expenditure, something like a million and a half of pounds—he did not think that the country could at the present time accomplish it. And besides this, the corresponding enlargement and improvement of the works of the lower waters would—the erection of docks and enlargement of other Canals, would cost a sum too frightful to mention, and which certainly placed such works out of the question at the present moment. However, the present was a good time to bring the objects of the resolutions before the House and the country. It was a good time inasmuch as the question of the

carrying trade of the west, was occupying a good deal of attention; and as Canada was making rapid strides to receive it. There was a great feeling of confidence in the mother country towards the Province. It was only the other day that the English Shareholders had objected to advance a further sum of £15,000,000 towards that work. Canada would reap the benefit of this expenditure, although there was a party here who were continually expressing their want of confidence in the work. He hoped that the day was not far distant, when the line would be completed to its eastern termination. The Hon. gentleman in conclusion, impressed upon the House, that the St. Lawrence was the natural outlet for the trade of the Province, and urged the adoption of the resolutions, which he said were non-committal. The adoption would not prejudice the House, or commit either the House or the government.

Hon. Col. PRINCE concurred in what the Hon. gentleman had said with regard to the intention of the Emperor of the French. He also believed that when the great powers of Europe did not see fit to quarrel with France for the annexation of Savoy and Nice, that Canada certainly ought not to do so. Canada, he was afraid, had too great an opinion of itself. It certainly had no need to be frightened, for if it came to an invasion, he was of opinion that not a single hostile ship could show her bowsprit round Point Levi, for as sure as she did, the Armstrong guns in the Citadel would blow it off. With regard to the resolutions, he hoped his Hon. friend would withdraw them. All the objects sought to be gained by them were already projects under the consideration of the Government; and it would be a work of supererogation in the House to address his Excellency, praying for the doing of certain things which his advisers had doubtless, long ago advised him to do.

Hon. Mr. VANKOUGHNET said that no one could underrate the importance of the resolution; and the House was indebted to his Hon. friend for bringing them forward. But at the same time they indicated rather a line of policy to be preserved by the Government, than the accomplishment of an act. The adoption of a line of policy required a great deal of caution. It was impossible to say what would be the relation between France and England—nor could it be known how France would receive the proposition made to her with regard to free trade with Canada. In the present year these things would of course be known. And in the meantime great delicacy should be observed in the adoption of a line of policy. He must say that the Government would be rather embarrassed by the adoption of fixed resolutions on the subject proposed—and that the end sought to be gained by his Hon. friend would be missed. That Hon. gentleman had done all the good he could by bringing the resolutions before the House; and he would now further his object best by leaving matters as they were, and by not pressing the adoption of the resolution. The Hon. gentleman alluded to

the progress Canada was making in her national career:—she had stepped across the ocean as it were to shake hands with the old world—and assured the House that the Government would ever endeavor to develop the resources of the country and increase her trade.

Hon. Mr. MORIN also thought the object sought to be gained, would be accomplished, if the resolutions were withdrawn. He could not, however, pass over the allusion made to the Welland Canal, without stating that the statistics from the public accounts for the past five years, proved incontestably that there was not the slightest necessity for the enlargement of that work. From those statistics it appeared that only two per cent. of the produce of the Province was shipped seaward.

Hon. Mr. MOORE did not think that Canada ever would secure the carrying of the Cotton Trade from New Orleans, whatever she might do to secure the North-West trade.

Hon. Mr. PATTON also hoped that the resolution would be withdrawn, or else he would be forced to take objection to the resolution which recommended the enlargement of the Welland Canal.

Hon. Mr. SEYMOUR thought the Hon. mover of the resolutions too sanguine in his calculations, as to the carrying trade. If the Province could not send its own produce through the route proposed, how was it to secure the trade of the West? He also objected to the wording of some of the resolutions, which he thought too strong.

Hon. Mr. ALEXANDER, although approving of some of the resolutions, disapproved of others. An expenditure of money at the present moment could not be thought of.

Hon. Mr. FERGUSSON thought the resolution went too far, and expressed his want of confidence in the ministry.

Hon. Mr. SIMPSON hoped to see the day when the St. Lawrence would be the route for the Western Trade of the Province—and accounted for the small exports of produce from the Province by the fact that owing to the failure in the States, and the abundant crops in Canada—all the produce that could be spared was sold to our neighbours.

Hon. Mr. DEBLAQUIERE consented to withdraw his resolutions as soon as he heard that they would embarrass the Government.

ALPHONSE MECHANICS' INSTITUTE.

Hon. Mr. LATERRIERE moved that an humble Address be presented to His Excellency the Governor General, praying that His Excellency will be pleased to cause to be laid before this House all the documents and proceedings relating to the Society called the "Mechanics' and Literary Institute," in the Parish of Alphonse, in the Township of Bagot, and a statement of the sums of money received each year by that Society, and of the manner in which such sums have been laid out.—Carried.

PILOTS BELOW QUEBEC.

Hon. Mr. WALKER moved that upon the consideration on Tuesday next, of the Bill for the Incorporation of the Pilots for and below Quebec,—as amended by the Select Committee—leave may be granted to Messrs. Gilmour & Co. to be heard by Counsel against the said Bill, at the bar of the House.

Sir E. P. TACHE moved in amendment that Counsel for the parties on the other side be also heard at the Bar.

Hon. Mr. VANKOUGHNET said that he hoped neither motion nor amendment would be carried—since it would be establishing a most dangerous and disagreeable precedent. The matter involved was not a private right, but a question regarding the trade of the Province, and he for one would not sit in the House and be dictated to by a Counsel as to what they thought the best manner of carrying it out.

The motion was withdrawn for the present.

THIRD READINGS.

The following Bills were read a third time :

The BILL to Incorporate the Compton High School.

The BILL to regulate the Challenging of Jurors.

ST. ROCH'S SAVINGS BANK.

Hon. Mr. LATERRIER moved the second reading of the Bill to enquire into the management of the St. Roch's Savings Bank. The object of the Bill was to appoint Commissioners to enquire into the alleged mal-administration in the affairs of that Institute, which had caused the greatest misery to a large number of poor people.

Hon. Mr. VANKOUGHNET opposed the motion—as it was a bad precedent. An enquiry such as was sought for was had before the Judges—and no additional good could be got by having it over again before the Commissioners. The motion, he thought, contained a reflection on the Bench not very creditable.

The motion was lost on a division.

FIRST READINGS.

The following Bills were introduced from the Assembly, and read a first time :

To amend Chapter 85 of the Consolidated Statutes, regarding the investment of money by Insurance Companies.

To amend Chapter 17 of the Consolidated Statutes, regarding the appointment of Constables.

To remove doubts respecting the solemnization of Marriage in Lower Canada by the Society of Friends.

INDIAN LANDS.

Hon. Mr. VANKOUGHNET introduced a Bill respecting the management of Indian Lands and property.

To be read a second time on Friday.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 16, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate a General Hospital for the District of Richlieu.—Mr. *Sincennes*.

BILL to extend the Provisions of the Limited Partnership Act to the Building and Navigating of Steamers and Sailing Vessels.—Mr. *McMicken*.

BILL to extend the Provisions of the Act intitled "An Act to amend the Act concerning Masters and Servants in Lower Canada.—Mr. *Beaubien*.

BILL (from the Legislative Council) to repeal the Act Incorporating the Toronto Mechanics' Institute, and to enable it to be Incorporated under the General Act of Incorporating Mechanic's Institutions.—Mr. *Robinson*.

BILL (from the Legislative Council) to enable the Rector and Church-wardens of the Town of Woodstock to convey certain Lands belonging to the said Church.—Mr. *Foley*.

BILL to extend the Provisions of the Act 22 Vic., Chap. 59.—Mr. *Aikens*.

BILL for the separation of the City of Toronto from the United Counties of York and Peel, for Judicial purposes.—Mr. *Wright*.

QUEBEC CONTESTED ELECTION.

Mr. W. F. POWELL presented the following report from the Committee on the Quebec Contested Election :—

"The Select Committee appointed to try and determine the matter of the petition complaining of an undue Election and Return for the city of Quebec, beg leave to inform your Honorable House that they have adopted the following Resolutions as their final decision :—

"1st. *Resolved*—That, at the last General Election for the city of Quebec, intimidation and violence were practised to a great extent; riots occurred, in which human lives were lost, and other acts took place by which the freedom of election was manifestly interfered with; that the candidates and their agents at the several Polls were prevented, by intimidation and violence, from objecting to votes or requiring the oath to be administered to voters; that, in consequence, a large number of persons having no legal qualification, recorded their names as voters, without objection; many, and the same persons voted several times under different names, and, in several Wards, minors were permitted to register their names without question. That, at Palace, Montcalm, St. Peter, St. Lewis and Champlain Wards, the petitioners and their agents were prevented by intimidation and violence from objecting to voters or requiring the oath to be administered; that, although no actual violence was used in preventing the voters on either side from recording their votes, yet, that men, armed with sticks, were allowed to remain in possession of the Polls in violation of the law, and gross and open irregularities

were permitted by the Deputy Returning Officers in recording illegal and unqualified votes, and allowing the same persons to vote more than once under different names. That, at St. Roch's, Ward No. 2, and Jacques Cartier Wards, the agents of the sitting members were intimidated and driven away, gangs of men were in possession of the Polls armed with sticks, and men and boys voted several times under different names. That, at St. Roch's, Ward No. 1, electors in the interest of sitting members were beaten; frequent disturbances of the peace took place, and the aid of the Military was found necessary to quell the rioting; that men and boys voted several times under different names; that, at half past four in the afternoon of the second day, the Poll book was stolen from the Deputy Returning Officer, and when returned on the same night, contained five or six thousand names as voting for the petitioners, additional to those recorded by him; that the Returning Officer in making his return, reckoned up only the number which the Deputy certified, excluding the false votes added, and making a special return of the facts. That, at St. John's, Ward No. 1, the agents of both parties were prevented from acting by intimidation and violence, and the Poll was forcibly taken possession of several times on both days, by armed mobs; that on the first day, about two o'clock, a riot took place, and two men were murdered; that the Deputy Returning Officer was obliged to close the Poll for three quarters of an hour during the first day, and about the same time during the second day, and to close it finally about twenty minutes before four, in consequence of outrageous acts of rioting and violence. That, at St. John's, Ward No. 2, the agents of both parties were intimidated from acting; that, on the second day, riots took place, shots were fired, several persons were badly beaten, and the Poll was finally closed about three p. m., in consequence of rioting and violence.

"2nd. *Resolved*—That although the evidence leads strongly to the conviction that a large majority of the electors of the City of Quebec who voted at the last election, recorded their votes for the sitting members, and equally to the conclusion that a majority, no less great, of all the legally qualified electors of the City of Quebec, were in favor of the sitting members, the Committee do not hesitate to declare, that the violence and intimidation practised were sufficient to interfere with the freedom of election, and that such violence and intimidation, coupled with the gross irregularities in recording illegal and unqualified votes, were such as to render their proceedings null and void.

"3rd. *Resolved*—That the said Election for the City of Quebec, is declared null and void.

"4th. *Resolved*—That the Hon. Charles Alleyne, Hypolite Dubord, and George Honoré Simard, are not duly elected members for the City of Quebec.

"5th. *Resolved*—That no evidence has been laid before the Committee, connecting the sitting members or their authorised agents with

the frauds, violence, and illegal proceedings that took place at the said election.

"6th. *Resolved*—That neither the petition nor the defence of the same is frivolous or vexatious.

"7th. *Resolved*—That the Committee find no irregularities on the face of the poll-books, upon which the return to your House was based, and that the name, place of residence, occupation and votes, seem to have been regularly recorded within the hours of polling prescribed by law.

"8th. *Resolved*—That whilst the Returning Officer, William Smith Sewell, took the precaution of swearing in 500 Special Constables to maintain the law, and paid them for their services, he does not seem to have exercised any judgment in their organization, in consequence of which this numerically powerful force, seems to have been comparatively useless, and there is nothing to indicate the presence of any member of them at any of the Polls.

"9th. *Resolved*—That the conduct of the Deputy Returning Officers, Wm. E. Duggan, J. Bte. Bruneau, R. Chambers, F. W. Andrews, George Irwine, G. W. Borlase, L. A. Cannon, R. G. Belleau, F. X. Langevin, and L. A. Casauet, in knowingly recording the votes of the same persons several times under different names seemingly from a misapprehension of the law, showed at least an unaccountable and highly culpable ignorance. (Laughter.)

"10th. *Resolved*—That whilst the evidence conflicts as to the question with whom the violence commenced, there is no doubt of its great excess being with the party of the petitioners—a violence which resulted in the cold-blooded murder of two fellow men, W. Wallace and Robert Newman. Your Committee deplore the failure of justice which has not succeeded in bringing to account those thus guilty of the highest crime known to the law committed in the open light of day, and in the presence of numbers of living witnesses.

"11th. *Resolved*—That the gross violation of the law of election thus permitted, if not acquiesced in, by the electors of the City of Quebec, is in the opinion of your Committee, a sufficient ground for their disfranchisement, during the remainder of the present Parliament."

Hon. Mr. DORION moved that Mr. *Speaker* issue his writ for the election of three members in the room of Messrs. Alleyne, Simard and Dubord, whose seats had been declared vacant. With regard to the recommendation of the Committee that the City of Quebec be disfranchised, he thought it would be difficult to find a precedent for such a proceeding. Cities and Boroughs had been disfranchised for open bribery and corruption, and when there was no possibility of obtaining a fair election in consequence of such corruption. But he believed there had been no case of disfranchisement for violence alone, which was generally to be attributed to strangers and boys, rather than to honest electors. The report mentioned that a number of boys had taken part in the disturbances in this case, and had recorded their votes several times under different names. He could not see the justice of punishing

the *bona fide* electors of Quebec for violence of that description. The punishment did not reach the offenders, and at a subsequent election the same cause of violence would still exist, if it existed at the present time. But he did not think it did; the City of Quebec appeared quiet and peaceable, and were an election to take place at the present moment it would probably be free from these irregularities which characterized the last election. If a writ were issued without delay the election might take place in two or three weeks, and the members returned would take their seat during the present session, and have an opportunity of voting upon questions concerning the Seat of Government, in which Quebec had perhaps a greater interest than any other City in the Province. (Hear, hear.)

Hon. Atty. Gen. CARTIER said he would be under the necessity of opposing this motion, and moving a postponement of the question. The Committee had reported cases of violence in the last election, consequent upon the assemblage of a large number of electors. Hon. members were not perhaps aware that the franchised electors of Quebec were not confined within the City walls, but comprehended the population outside the walls to the limits of the city, numbering in all between eight and nine thousand. Now, Hon. members were aware that a measure was to come again before the House to-morrow which had already received a second reading, and was expected soon to become law. That law, by a judicious and happy division of the city, would materially facilitate this election. (Hear, hear.) He was opposed to any measure intended to disfranchise the electors of Quebec. Notwithstanding the acts of violence, the Committee were still of opinion that the city members had a majority of the legal voters. The lawless acts of a few "rowdies" should not deprive the honest electors of their privileges. He moved that the consideration of the Report be postponed until this day week.

Mr. LANGEVIN said that the peace of a City at election times did not altogether depend upon the conduct of a Mayor, and he would not therefore vouch, as invited to do, that he would be able to preserve it. From the remarks of the Attorney General he understood that no unnecessary delay would be allowed in issuing the writ, and in view of the fact the elements of violence which were evident at the last election, still existed, he (Mr. Langevin) desired the new election to take place under the Bill recently introduced for dividing the City. At Montreal it had often been found as difficult to keep the peace at the elections as at Quebec.

Hon. Mr. DORION—Well the division of the Cities would not prevent the rowdies from going from Division to Division, and practising the violence which it seemed, they were disposed to do.

Mr. LANGEVIN—The population of Quebec was among the most peaceable in the Province, and the answer to the question of the Hon. member was, that the rowdies generally acted in the supposed interest of some one candidate, so that at least, the other Divisions would be saved from disturbance, and all the means for keeping the peace, could be concentrated upon the portion in danger of violence.

Mr. GOWAN said he regretted that the member for Montreal (Mr. Dorion) had been so hasty in making the motion, for the issue of a new writ, and he was therefore pleased at the amendment offered by the Attorney General East. As to the population of Quebec, he really believed it was a most peaceful one, and he could wish the Western communities were equally so, still, it was clear that there were unquiet spirits in it, who would appear at the elections, and he therefore hoped that the next election would take place under circumstances which would render violence impossible.

Hon. J. S. McDONALD—The motion of the Hon. member for Montreal was intended to give the people of Quebec an immediate opportunity of replacing representatives in the House, and instead of being charged with undue haste for making it, his Hon. friend was deserving of thanks. There was no guarantee that the Government would proceed with their measure for dividing the cities, or that if they did, they would pass it even in this House, and as to its fate in the other, it was of course quite uncertain. The decision of the Seat of Government had been arrived at by the help of the votes of three gentlemen who were now declared to have sat illegally, and in virtue of force and violence, a fact which showed the importance of having honest elections. As to the declaration of the Mayor of Quebec that he could not guarantee the peace of the City, it was a most extraordinary admission to make.

Mr. LANGEVIN—I only said that the peace of a City did not depend altogether upon the Mayor.

Hon. J. S. McDONALD continued to say that not a moment should be lost before the election took place, in order that the representatives of the City should be able to vote upon the great questions which would come up for discussion.

Mr. W. F. POWELL said that he was not surprised to hear the member for Montreal and others on his side, urge the immediate issue of the Writ, and they made a great parade of love to the people of Quebec, when in fact, they of course, cared nothing about them. He himself, had not fully agreed with one of the Resolutions of the Committee (that respecting the disfranchisement of the City,) but he thought that some legislation was necessary to prevent the occurrence of such scenes as had disgraced the last

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 16, 1860.

QUEBEC CONTESTED ELECTION.

(Concluded from our last No.)

election, and he regarded the bill before the House, as sure to attain that end. It was true that it has not been usual to disfranchise constituencies for violence, but he thought it was high time that a precedent in that direction should be set. But besides violence at the Quebec election, there was a species of corruption tolerated--that of allowing a repetition of the same votes 10 or 15-times--and it was chiefly for this cause that the Committee recommended a disfranchisement of the City during the present Parliament. The member for Cornwall had made a singular calculation in relation to the Seat of Government, which was that the majority of 5 would have been swamped if the three members for Quebec had not voted yea.

Hon. J. S. McDONALD said, I reckoned that three other men would have voted nay.

Mr. W. F. POWELL said, the Hon. member took a great deal too much for granted. As to the probability of violence, he thought it was just as probable to-day as at any former time, unless a different mode of proceeding were adopted. At the last election violence was anticipated, and to prevent it 500 special constables were sworn, but notwithstanding such extraordinary precautions, violence and bloodshed ensued. It was evident that some such legislation as was now proposed should be adopted or there would be a repetition of similar scenes.

Hon. M. THIBAudeau said, that it was not because Quebec had committed one fault that it must needs commit another, and for one he had no doubt that if an election immediately took place, it could be had in a perfectly peaceable manner. Very important topics were soon to be brought before the House, and it was extremely desirable that Quebec should have a voice in them. The members who had now been unseated had voted for placing the Seat of Government at

Ottawa, and it was right that if the question came up again it should be known whether their votes were approved of by their constituents. The people who made trouble were not the responsible voters, but rowdies, who could easily be kept down by proper means. In every view of the case he thought the writ should immediately be issued, and he was sure much dissatisfaction would be exhibited if it were not.

Hon. Mr. BROWN said, it came very ill from the member for Carlton who had defended the Russell election frauds, to charge Upper Canadian members with insincerity in this matter. He also had been the cause of much of the delay that had taken place in the decision of the case now before the House.

Mr. W. F. POWELL denied he was responsible for any delay.

Hon. Mr. BROWN said, perhaps the Hon. member was not responsible for recent delays, but the Committee as a whole were.

Mr. W. F. POWELL would ask the Hon. member just to read the Minutes and he would see whether the Committee had improperly delayed.

Hon. Mr. BROWN was just going to read from the Minutes to show that they were. In 1858, when the returns of the Quebec election were laid on the table it was admitted on all hands that there had been the grossest irregularities, and that thousands of votes could be struck off in half an hour.

Hon. J. A. MACDONALD--That would not have proved riot and violence.

Hon. Mr. BROWN--No, but it would have been easy to prove it in a few hours. The member for Montmorenci, had then stated, that the members returned had been elected by votes entirely disproportionate to the population of the city, and he had made a motion to declare the election void in consequence, it being as he alleged impossible to scrutinize 15,151 votes which had been cast.

Hon. J. A. MACDONALD--Did that motion pass?

Hon. Mr. BROWN—Of course not, for the Government came to the rescue of their colleague and put it down, yet after three years investigation all the allegations of the member for Montmorenci, were proved to have been true, and a conclusion such as he then proposed, had been arrived at. Alluding to that portion of the Committee's report which reflected upon the Deputy Returning Officers at that election, he thought Quebec furnished very strange material for Returning Officers, for it appeared they did not understand a man should not vote 5 or 6 times over at the same election, and that in consequence of this ignorance they were to be excused. The member for Carlton had said it was evident from the Opposition speeches, that they did not care for the purity of elections, but he would say that he verily believed all the violence at the Quebec election, was due to the partizans of the Government, and that the delays of the Committee were attributable to the same cause. The motion of the Attorney General was another attempt to prevent Quebec from having a fair election, and he did not think, and he had no hesitation in saying, that the demand he made for delay until he had passed his bill, was most improper. Did he mean to issue three separate writs, and to make the elections take place on three separate days.

Hon. J. A. MACDONALD—It was not in the power of the Government to say on what days the elections would be held, that would be for the Returning Officers to determine.

Hon. Mr. BROWN—Yes they could. They could put that in the Bill if they liked, but they would no doubt have them on different days and then the whole force at the command of the Government would be put in requisition to control the separate elections. There was no necessity for delay, for under the new law only registered names could be taken, and with the qualified promise of the Mayor that he would see to keep the peace, there was every reason to hope it would be preserved. As to the disfranchisement of the city, he would tell the Hon. member for Carlton, that if it could have been shown that the real electors of Quebec had consented to the riots and violence that had taken place, every man in the House would have assented to it, but this was not in evidence, and he had no doubt that the violence was first induced by the partizans of the Government taking forcible possession of the polls.

Mr. W. F. POWELL—The Hon. member should not forget that one of the Resolutions expressly states that in some cases the polls were seized by the friends of the petitioners.

Hon. Mr. BROWN—Of course, flesh and blood could not stand the injustice that was being practiced by the friends of the Government, and of course, the other party made reprisals. (Mr. Brown went on commenting upon the evidence with the view of showing that the Committee had unnecessarily delayed and suspended their labours, all of which Mr. Powell denied, alleging that he had been so ill during the greater part of the session of 1859, as to have been unable to

leave his bed, and that it was then competent for the Hon. member to have moved for his discharge and the substitution of another person in his stead, which, however, he had not done.)

Mr. DUFRESNE said, that it was not until the end of last session, that the evidence had been ordered to be translated, and that when the present session commenced it had not yet been done.

Hon. Mr. BROWN contended that the evidence was before the Committee in June, 1858, and that it rested with the Committee to have it translated. And, referring to the delay in order to pass a law which would apply to the election about to take place, he contended it was a most unfair proceeding, and that the electors of Quebec ought to be placed in exactly the same position as they were at the time of the election now declared void, so that the full voice of the constituency should be heard with reference to every one of the three candidates.

Hon. Mr. SICOTTE understood that under the new law there would be in Quebec as many constituencies as electoral divisions, and he doubted whether a number of writs could be issued to replace the members who had been returned from one constituency. He doubted whether more than one writ could be issued.

Hon. Atty. Gen. CARTIER said, that under any circumstances the same number of members would be returned; the only difference was that instead of three members being returned from the city of Quebec collectively, there would be three divisions, and each division would return one member.

Mr. DUFRESNE defended the conduct of the Committee on the Contested Election, and denied that any member of it had intentionally delayed the proceedings.

Mr. FOLEY expressed his belief that the adoption of the proposition of the Attorney General East, to postpone the issuing of the writ for eight days, would be a virtual disfranchisement of the City of Quebec, for the present session—a proceeding which was not at all justifiable, particularly when they had the declaration of the Attorney General East, that he saw no reason for disfranchising the city. There was no reason whatever to suppose that, under the Attorney General's Bill, any future election would be conducted more peaceably than the last one. Hence an additional argument was furnished against any postponement of the election.

Hon. Attorney General MACDONALD denied that the motion of his Hon. colleague would have the effect contemplated, and contended that delay would be highly beneficial, inasmuch as the Bill of his Hon. colleague would then probably have passed both Houses, and as its effect would be to localise the election, they had a sort of assurance for the peaceful progress of the next election. He defended the Committee from the attacks of the Senior member of Toronto, showing that they had not recommended the unseating of the sitting members, and recommended the disfranchisement of the City of Quebec, for the present parliament, in conse-

quence of any fraud or violence, on the part of the late sitting members. On the contrary, the late sitting members were exonerated from all responsibility in the fraud and violence which had taken place, and it had been incontrovertibly shown that they had a large majority of legal votes recorded. He referred the silence of the Hon. member for Toronto in reference to the Haldimand election, showing the political dishonesty of censuring the Government, for the delay in the decision of the Quebec Election, in the face of a fact like this. But this might, perhaps, be excused, when they remembered that, what between strong and political foes and perfidious friends, he was rather in a bad "fix." (Laughter.)

Mr. MCGEE said the Government had refused to adopt the propositions made nearly three years ago, by which the election contest might have been speedily decided. The Committee after sitting through three Sessions had been lauded for at last coming to a decision, but an Election Committee in 1854, in a similar case, that of the Saginaw Election, brought in their report in eight days. The Bill of the Hon. Atty. Gen. East was intended to assist the gentlemen who were unseated, and to receive them like a mattress when they were thrown out of the window. (Laughter.) They had been assured that this Bill would become law within eight days; though it had yet to pass the third reading in one House, and receive the approbation of the other House. He thought such assurance most unbecoming in the Hon. Attorney General East, as implying that the House had no discretion in the matter.

The House then divided on the amendment, which was carried. Yeas 66. Nays 44.

YEAS: Messrs. Abbot, Archambeault, Baby, Beaubien, Benjamin, Buchanan, John Cameron, Campbell, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon Coullée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Foster, Fournier, Gaudet, Gill, Gowan, Harwood, Heath, Holmes, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loranger, Loux, Attorney General Macdonald, McCann, A. P. McDonald, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, William F. Powell, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Sicotte, Simpson, Starnes, Tassé, Tett, Turcotte, Webb, and Whitney,—66.

NAYS: Messrs. Aikens, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Jobin, Laberge, Laframboise, Lemieux, Donald A. Macdonald, John S. Macdonald, Mat- tice, McDougall, McGee, McKellar, Mowat, Munro, Nutman, Papineau, Patrick, Piché, Walker Powell, Dunbar Ross. James Ross, Rymal, William Scott, Short, Somerville, Stirton, Thibaud- dean, White, Wilson, and Wright.—44.

BILLS READ A THIRD TIME AND PASSED.

BILL to Incorporate the St. George's Society of Montreal.—Mr. *Dunkin*.

BILL to amend the Act to Incorporate the vil- lage of New Hamburg, in the County of Waterloo [with amendments].—Mr. *W. Scott*.

BILL to establish the Concession line between Gore A. and the Eighth Concession of the Town- ship of Grimsby.—Mr. *Simpson*.

BILLS PASSED THROUGH COMMITTEE.

BILL to Incorporate the Association of Pro- vincial Land Surveyors, and Institute of Civil Engineers, (with amendments).—Mr. *W. F. Powell*.

BILL to Consolidate the Debt of the Town of Bowmanville, [with amendments].—Mr. *John Cameron*.

BILL to authorize the sale of the St. George's Church, in the Town of Guelph, in the County of Wellington, and the raising of money by Mortgage on the latter, for the purpose of erect- ing a new Church thereon. (with amendments).—Mr. *Stirton*.

BILL to Incorporate the College of Three Rivers (with amendments).—Mr. *Turcotte*.

BILL to amend the Act respecting the Munici- pal Institutions of Upper Canada, by enabling County Councils to allow travelling expenses to their members (with amendments).—Mr. *Gould*.

BILLS READ A SECOND TIME.

BILL to amend the Act 19 Vic., cap. 66, entitled an Act to provide for the separation of the Coun- ty of Peel from the County of York, and to pro- vide for the selection of the County Town.—Mr. *Carling*.

BILL to amend the Act incorporating the Town of Three Rivers.—Mr. *Desaulniers*.

The House then adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Tuesday, April 17, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

RAILWAY ACT.

Hon. Mr. ALEXANDER introduced a Bill to amend and explain several clauses, in the gen- eral Railway Clauses Consolidation Act.

The Bill was read a first time, and ordered to be read a second time on Friday.

JOINT STOCK COMPANIES.

Hon. Mr. CAMPBELL introduced a Bill to amend the Joint Stock Consolidation Act.

The Bill was read a first time, and ordered to be read a second time this day week.

POLICE MAGISTRATES.

Hon. Mr. DEBLAQUIERE enquired if it was the intention of the Government to introduce, dur- ing the present Session, any measure to regu- late the appointment of Police Magistrates in cities and towns; and if not, why?

Hon. Mr. VANKOUGHNET replied that the Government were not prepared to introduce such a measure during the present Session. It had been suggested that the Magistrates should be

paid out of the tavern licenses fund—but, although the suggestion was a good one, it was impossible to introduce a measure during the present Session.

JUDGESHIP OF ALGONA.

Hon. Col. PRINCE moved "That an humble Address be presented to His Excellency, the Governor General praying that he would be pleased to direct, that copies of any correspondence which may have taken place between the Government, and any person or persons relative to the new district of Algona, be laid before the Council, with all convenient dispatch."

The Hon. gentleman contended that he was justified in bringing this subject before the House, not so much on personal grounds, although they were sufficient to warrant him in doing so, as because he felt that it was due to the respect of the House, to the Government and to the law that he should do so. The cause of his motion was an article that appeared in the *Globe* newspaper. This paper, it was said, was the leading Journal of the Province. He doubted it. It might be the leading journal for slanders and scandal. It was the leading journal that had called the Governor General a perjurer, and the Ministry foresworn. It was the leading journal, that had assailed the purity of the Bench falsely and maliciously. And he could not but express his surprise that the Government had not long ago prosecuted it, for an attack on the Governor General—calling him, as it did, a perjured scoundrel, or what amounted to it. If a journal in England had made the same attack on the Queen, it would be prosecuted quickly enough. It was in the *Globe* that the slander on himself appeared. He quoted the extract from the *Kingston Whig*, as he could not get the *Globe* containing it. It was to the effect that he (Col. Prince) while sitting as a Legislative Councillor, had the appointment for the Judgeship in question in his pocket. The statement was as false as hell. He must be excused for speaking strongly—but he felt deeply. It was his intention to take legal advice, as to whether this false attack on himself made, be doubted not, by the writer with a full knowledge that it was false—was not a breach of privilege, and if it was, he would bring the writer before the bar of the House. When the correspondence which he moved for, was laid before the House, Hon. gentlemen would see that the charges against him were false from beginning to end.

The motion was carried.

BLIND.

Hon. Mr. CHRISTIE enquired of Ministers, whether they intended during the present Session to ask a supply for the purpose of making provisions for the education of the blind in each section of the Province?

Hon. Mr. VANKOUGHNET said that an appropriation had been made for that purpose, as would be seen by the estimates. The supply was small, but it was all that could be spared at present.

VACCINATION.

The BILL to provide for the adoption of the practise of Vaccination, was read a third time and passed.

ASHBURTON TREATY.

Hon. Mr. VANKOUGHNET moved the second reading of Bill to repeal cap. 96 of the Consolidated Statutes of Upper Canada. The Act in question was inserted in the Consolidated Statutes, although it had been repealed by the Ashburton Treaty, and the object of the present Bill was merely to declare it repealed. The matter had been introduced to the House by an enquiry made by the Hon. Col. Prince some days ago.

Hon. Col. PRINCE contended that it would have been better if the Act in question, 3 Wm. IV., had not been repealed by the Ashburton Treaty—for the latter Act had been proved to be totally unfit for the purposes for which it was designed. Under it a robber who took a watch worth \$10 from a man, and escaped to the States, could be rendered up; but a burglar who stole \$100,000 from a bank could not. Nor could horse robbers from the States be rendered up on Canadian soil. These things showed the inefficiency of the Treaty. In the framing of this treaty, as in every other treaty, John Bull had been outwitted by the clever, cunning Yankee.

The Bill was read a second time.

MARRIAGE WITH DECEASED WIFE'S SISTER.

Hon. Mr. MORRIS, seconded by the Hon. Mr. MOORE, moved the second reading of the Bill to legalize the marriage with a deceased wife's sister. The Hon. gentleman said, that although this question was new to Canada, it was not new to the world. In almost every religious persuasion in the world, the principle was recognized directly or indirectly—except perhaps in the Greek church in Russia. It was recognized in the United States. An Act recognizing it had lately passed in the Australian legislature. It was not surprising then that the people in Canada should be anxious to know whether the marriages that had already been performed with a deceased wife's sister were legal or not. Here he must be permitted to say that he believed the principle of the Bill in accordance with the Divine and moral laws. He acknowledged that the Bill should be founded on the law of God—and if he did not believe that it was in accordance with that law, he would be the last man to bring it forward. The great argument against the principle of the Bill, was founded on the 18th chapter of Leviticus and the 18th verse—but this argument would fall to the ground when the text of that verse was consulted. A literal translation of that verse by Dr. McCaul, an undoubted Hebrew scholar, showed that the commandment not to marry the deceased wife's sister extended only to the period during which the wife was living. He could quote many eminent names who supported the principle. Milton did so. Also Cardinal Wiseman, Dr.

Franklin, Chief Justice Story, and many eminent Bishops and other dignitaries. It was a strange thing to him that many Hon. gentlemen present, who opposed the marriage with a deceased wife's sister, who was not a blood relation, would not hesitate to approve of a marriage between consins—a far worse thing, and productive of worse results. To show some of the results he might mention that in Massachusetts out of 95 children, the offspring of such marriages only 37 lived in tolerable health, the rest being victims of dire diseases. In Ohio, 2,400 out of 3,900 such children were either physically or intellectually infirm. He would leave these things before the House, and merely observe that as it was only the opinion of many legal gentlemen, that the statute of Henry VIII. was yet in force, all doubts on the subject should be cleared up for the future.

Hon. Mr. FERGUSSON supported the Bill, not on arguments drawn from the Bible, but because he thought it would confer domestic happiness.

Sir E. P. TACHE opposed the Bill. It was opposed to Divine and moral law. The spirit of the Roman Catholic church was against it. Humanity itself was opposed to it. The only way in which such a marriage could be brought about in the Roman Catholic church, was by a dispensation from the Pope—and since the conquest of Canada, only some three or four such instances occurred. He contended that a man ought to love his wife's sister as his own sister—and any other love was the offspring of a morbid and diseased appetite.

Hon. Mr. DEBLAQUIERE condemned the Bill in the strongest language. It was calculated to sap the foundation of society. The Hon. gentleman made a solemn appeal to the House to pause ere a measure was adopted contrary to the law of God, and opposed to the holiest and best interest of the community. Besides the Bill would be in direct violation of the laws of England. The Hon. gentleman who moved the motion laid great stress on the statement—that there was no prohibition in the Scriptures against marriage with a deceased wife's sister. But neither was there any law in the Scriptures against marriage with one's mother, or one's niece, or against having two wives. Would the Hon. gentleman by a parity of reasoning, say that a man might marry his mother or his niece, or have two wives? The present was an age of progress and liberalism, and unfortunately this liberalism had been made a political engine. In England this spirit obtained more than in any other place, and a counter movement had lately been made to check its pernicious tendency. A meeting was held in England some time ago to condemn the principle of a marriage with a deceased wife's sister. The Duke of Marlborough presided—and a host of the most eminent dignitaries in England were present—including Sir P. Wood, Lord Shaftsbury and a number of Bishops. At this meeting resolutions condemning the principle were adopted. The Hon. gentlemen then went on to say that it was

only a very infinitesimal class of the community who demanded the passing of this Bill—and it was for the small class that the House was called on to overthrow the entire fabric of society. Hon. gentleman must know that the passing of the Bill would be placing a temptation before the married man to disregard his own wife for her sister, and it would also be productive of numerous divorces. And no one who consulted the way in which divorce was administered in the United States, would wish to see it introduced here. The Bill only applied to Upper Canada—so that a man who married his wife's sister in Upper Canada, would find the marriage not recognized in Lower Canada. He would oppose the Bill for all these reasons, and move, seconded by Sir E. P. Tache, that the Bill be not now read a second time, but that it be read a second time this day six months.

Hon. Col. PRINCE differed entirely from the arguments advanced by the Hon. Mr. DeBlaquiere. According to the Law of Upper Canada, as it present stood, marriage with a deceased wife's sister was legal—but as doubts had been thrown out, it was better that once for all those doubts should be settled. If the Bill were sent to a Select Committee, he pledged himself to remove the fears and alarms of Hon. gentlemen, as to the alleged bad effects of the Bill.

Hon. Mr. ALLAN opposed the Bill on social and religious grounds. Wives' sisters, if the Bill passed, could no longer remain in the social circle as at present. When the wife died she could no longer remain in the house as a sister, to take charge of her sister's children.

Hon. Mr. VANKOUGHNET regretted that the Bill had been introduced into the House—as it could not but give rise to a great deal of unhappiness. There was no demand for such a Bill. It was his opinion that a marriage with a deceased wife's sister in Upper Canada could not be disturbed. He came to this decision after mature consideration. Under the Statute of Henry VIII. such a marriage was rendered not void but voidable, upon the declaration of the Ecclesiastical Court. This was set beyond all doubt by Lord Lyndhurst's Law of 1835, which declared that marriages with a deceased wife's sister was only voidable by the declaration of the Ecclesiastical Court, pronounced in the lifetime of the parties. No Ecclesiastical Court existed in Canada, or ever would; therefore, there being no Court to appeal to, the marriage could not be declared void. There could be no doubt of it. The marriage in question was declared to be only voidable. The machinery for rendering the marriage void—that is the Ecclesiastical Court—did not exist in Canada; according to the Statute the marriage was rendered void only on the declaration of the Ecclesiastical Court, therefore, the marriage with a deceased wife's sister could not be declared void in Canada. The marriage was to be declared void only by the Ecclesiastical Court, and such a Court never did, and he hoped never would exist in this country. He considered it a most unfortunate thing, especially for those interested,

that the measure should be brought up at all, and recommended that the Law should be left as it was at present. He would not discuss the question on religious grounds. The social argument was all he desired to go on. He recommended his Hon. friend to withdraw his motion.

Hon. Mr. MORRIS contended that there was a strong feeling in Upper Canada in favor of the Bill. He was sorry that the marriages which had already taken place should not be declared legal at all events.

Hon. Mr. VANKOUGHNET felt convinced that there was no feeling in Upper Canada in favor of it; and pointed out to his Hon. friend that by declaring the marriages already solemnized legal, future marriages would be tacitly declared illegal.

Hon. Mr. MURNEY hoped that the introduction of the Bill would be frowned down by a large vote.

Hon. Col. PRINCE advised that under the circumstances, the Bill ought to be withdrawn, as it was likely to be thrown out.

Hon. Mr. MOORE thought that the amendment ought to be withdrawn, and then his Hon. friend would consent to withdraw his motion.

Hon. Mr. DEBLAQUIERE would not withdraw his motion in principle.

Sir E. P. TACHE opposed the withdrawal of the amendment on the ground that it would give rise to another trumpety cry of French domination, and so on.

Hon. Col. PRINCE knew that Western Canada, at all events, demanded such a measure as was before the House. He believed that the opinions of the Lower Canadian members on the subject were influenced by the Priests.

The House then divided on Mr. DeBlacquier's amendment for a six month's hoist, which was carried. Contents 27, Non-contents 9.

TOWNSHIP DIVISION.

Hon. Mr. MOORE moved the second reading of the Windsor Township Division Bill.

The Bill was read a second time and referred to a Special Committee.

MIDDLESEX CONSOLIDATION DEBT.

Hon. Mr. CAMPBELL moved the second reading of the Middlesex County Consolidation Debt Bill.

The Bill was read and referred to a Special Committee.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, April 17. 1860.

Mr. SPEAKER took the chair at three o'clock.
BILLS INTRODUCED AND READ A FIRST TIME.

BILL (from the Legislative Council) to define the liability of persons practising as Conveyancers.—Mr. Wilson.

BILL for the further promotion of Public Instruction in Upper Canada.—Attorney General Macdonald.

BILL to amend the Statute relating to Agriculture.—Mr. Campbell.

BILL to amend the Act relating to Barristers. Hon. Attorney General Macdonald.

BILL to amend the Act relating to Attorneys. Hon. Attorney General Macdonald.

BILL to amend the Act respecting the Law Society of Upper Canada.—Hon. Attorney Gen. Macdonald.

BILL to regulate the removal of causes from the County Courts.—Hon. Atty. Gen. Macdonald.

BILL to amend the Act respecting Municipal Institutions.—Hon. Attorney Gen. Macdonald.

BILL to repeal certain provisions of the Common Law Procedure Act.—Hon. Attorney Gen. Macdonald.

BILL to separate the Counties of Northumberland and Durham.—Mr. W. F. Powell.

BILL to regulate the profession of Surveyors.—Mr. Cauchon.

BILL to extend the Act to Incorporate the Carillon and Grenville Railway Company.—Mr. Abbott.

BILL on the subject of draining.—Hon. Mr. Cameron.

REVENUE AND EXPENDITURE FOR 1860.

A message was received from his Excellency the GOVERNOR GENERAL, transmitting a copy of the probable Revenue and expenditure for the year 1860.

IMPERIAL GUARANTEE LOAN.

Hon. FINANCE MINISTER moved the third reading of the Bill relating to the Sinking Fund for the Imperial Guarantee Loan.

Hon. Mr. DORION enquired of the Hon. FINANCE MINISTER, if he had any further information regarding the exchange of Debentures for Stock.

Hon. FINANCE MINISTER said that the exchange was progressing. About £50,000 had been exchanged, at six per cent.

The bill was then read a third time and passed.

ELECTION OF THE SPEAKER OF THE COUNCIL.

On the motion of the Hon. Atty. General MACDONALD the Bill (from the Legislative Council) to provide for the election of the Speaker of the Legislative Council, was read a third time and passed.

REPRESENTATION OF THE PEOPLE IN THE LEGISLATIVE ASSEMBLY.

Hon. Atty. General CARTIER moved that the amendments made by the Committee of the whole, on the Bill respecting the representation of the people in the Legislative assembly, be read a second time.

Hon. Mr. DORION moved in amendment "that the amendments be not now read a second time, but be referred back to the Committee of the whole, to amend the same by providing that the elections in the different divisions of the cities of Quebec, Montreal, and Toronto be held on the same days as regarded the nomination of candidates, and the days of polling." If the election in the different divisions of a city, took place on different days, it would be impossible

to avoid confusion, but if the population were all engaged on the same day, the voters of one division could not interfere at the polls of other divisions, as would undoubtedly be the case, if the elections took place on different days.

Hon. Atty. General EAST thought the amendment unnecessary. By the wording of the Bill, the Sheriffs were constituted, *ex-officio*, returning officers for the elections, with power if necessary to appoint other returning officers, for each division, and the amendment would create confusion, and require an alteration in the whole system.

Hon. J. S. McDONALD was in favor of the amendment of the Hon. member for Montreal. It would be better to have the election and consequent excitement over in one or two days, than to keep it up for a week.

Hon. Mr. SICOTTE said the Attorney General had not decidedly opposed the amendment, but had merely said he did not know how it would harmonize with other parts of the general election law, and that at any rate this was not the time to propose it. If he would, however, say that he would accept such an amendment when the Bill came up for a third reading, he would advise the mover to delay it till then. It would be easy to amend the 6th clause of the general law, so as to make it work in harmony with the Bill now before the House.

Hon. Mr. CARTIER said the Hon. member for St. Hyacinthe, had anticipated some remarks he was about to make, which were, he would be prepared to-morrow to propose an amendment, which would have the effect desired.

Hon. Mr. DORION was not so punctillious as to insist upon words, when the effect he deserved to accomplish was secured, so he would withdraw his own amendment. But he had another amendment, which he would now offer, and which he hoped would be accepted by the House. It was as follows:—That the amendments be not now read a second time, but that the Bill be referred back to the Committee of the whole, with power to amend the same by providing that no elector in the cities of Quebec, Montreal or Toronto shall be entitled to vote at more than one of the divisions of the said cities, that being the one in which he was qualified to vote. It was evidently the intention of the law, that an elector, should only vote once at an election, and he would show that the present Atty. General East had at one time held strong opinions upon the subject. (Mr. Dorion here read from the journals in proof). This amendment he thought was specially applicable to the cities, when a person might under this Bill vote first in his own division, and then go and influence the elections in the others.

Hon. Mr. CAUCHON said the Hon. member had given the very best reason for voting down his own amendment, which was that it had been rejected by the whole country. If a man might vote in several counties, why might he not in different city constituencies? Such an amendment would be exceptional, and if it were applied to the cities, it should be equally applied to the counties.

Hon. Mr. LORANGER enquired of the Speaker, if it would be in order to insert a general clause in a special Bill like the present.

The SPEAKER thought not.

Hon. Mr. CARTIER said, he had always been an advocate for having the elections decided as much as possible by proprietors, but the Hon. member was evidently ignorant of the general election law and he would therefore endeavor to enlighten him. (He then went on to explain at some length the principle of that law, and the part he had taken in its passage when he had inserted that whether resident or not, the proprietor should have a vote—a principle he would always maintain.)

Hon. Mr. LORANGER reverting to this inquiry said, that he believed it was generally, he might say universally, held that a man should only vote once, and he could not see why because a man's property happened to be in two counties, he should have two votes, while his next neighbour had only one. This double or triple voting, especially in the cities, he did not think right. Property should not make such a distinction. But another question arose. It was the purpose of the Bill to assimilate the city constituencies to those of the counties, and if the city voters were to be restrained, those in the counties should be so likewise, and unless it were done he could not vote for the amendment, for he would not put the cities in so exceptional a position. Let all constituencies be treated alike, and if the general principle could not be established by introducing it in the present Bill, he would certainly vote against the amendment.

Mr. PICHE endeavored to show that the Attorney General's explanation was inconsistent with his vote on the occasion cited by Mr. Dorion.

Hon. Mr. LORANGER moved in amendment, that all the words after "that" be struck out, and the following inserted:—"the said amendments be not now received, but referred back to the Committee of the whole, with instructions to amend the same, by providing that no elector of the cities of Quebec, Montreal and Toronto, shall have a double or treble vote in any of the electoral divisions; and this provision shall apply to all the electoral divisions of the country."

Mr. FERRES objected to extending the provision to the whole country, but could agree with the proposition of the Hon. Atty. Gen.

Mr. TURCOTTE wished to make the Hon. member for Berthier understand that the Attorney General was perfectly consistent with himself, for when he insisted upon the proprietors having votes wherever they held real estate, it was when the tenants were permitted to exercise the franchise and he then thought that this should be balanced by the votes of the owners of the property so voted upon by the tenants through the occupancy thereof.

Mr. PICHE now saw the propriety of the principle.

Mr. TURCOTTE was pleased he had succeeded in satisfying the Hon. member, and for his part he would vote against the amendment.

Hon. Mr. SICOTTE said the present Electoral system was based upon population and not upon property, and a person having a small amount of property divided, had a larger number of votes than a person having property of greater value, differently situated. The amendment of the Hon. member for Laprairie, was intended to secure Representation by Property, and he should therefore, vote in favor of it as a step in accordance with the progressive spirit of the age.

Mr DUNKIN contended that, in this country, the representation was *de facto* territorial, and that the amendment of the Hon. member for Laprairie was actually provided in the Bill.

MAJOR CAMPBELL said he had great objections to the proposed division of the Cities. He thought in the absence of any precedent in England and elsewhere, it was rather a reflection on this country, that there should be any necessity here for such a step. At the same time he would vote for the Bill as an experiment.

Hon. J. S. MACDONALD thought the amendment of the Hon. member for Laprairie was too broad in its meaning, and approached too nearly to universal suffrage. He would vote for the amendment of the Hon. member for Montreal. (Mr. Dorion.)

Mr. MCGEE was opposed to Representation by Property, and would vote for the amendment of the Hon. member for Laprairie.

The House then divided on the amendment of Mr. Loranger, which was lost. Yeas, 40. Nays 66.

YEAS:—Messieurs Aikens, Beaubien, Biggar, Bourassa, Bureau, Burwell, Cimon, Clark, Cook, Connor, Dorion, Finlayson, Foley, Gaudet, Gould, Harcourt, Jobin, Laberge, Laframboise, Lemieux, Loranger, McDougall, McGee, Donald A. McDonald, McKellar, Mowat, Munro, Notman, Papineau, Walker Powell, Dunbar Ross, James Ross, Rymal, Short, Sicotte, Somerville, Starnes, Stirton, White and Wright.—40.

NAYS:—Messieurs Abbott, Baby, Benjamin, Bell, Buchanan, J. Cameron, Campbell, Caron, Cayley, Atty.-Gen. Cartier, Cauchon, Chapais, Coutlée, Daly, Daoust, Dawson, Désaulniers, Dionne, Dunkin, Dufresne, Ferguson, Fortier, Foster, Fournier, Galt, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Howland, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loux, Macbeth, Atty. Gen. Macdonald, John S. McDonald, Mattice, McCann, McMicken, Meagher, Sol. Gen. Morin, Morrison, Ouimet, Panet, Playfair, W. F. Powell, Price, Roblin, Rose, R. W. Scott, Wm. Scott, Sherwood, Simpson, Tassé, Thibaudeau, Tett, Turcotte, Webb, Whitney and Wilson.—66.

The House then divided on Hon. Mr. Dorion's amendment, which was lost. Yeas, 45. Nays, 61.

YEAS:—Messieurs Aikens, Beaubien, Bell, Biggar, Bourassa, Bureau, Burwell, Cimon, Clark, Connor, Cook, Désaulniers, Dorion, Finlayson, Foley, Gaudet, Gould, Harcourt, Jobin, Laberge, Laframboise, Lemieux, Loranger, D. A. Macdonald, John S. McDonald, Mattice, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Walker Powell, Dunbar Ross, J. Ross, Rymal, Short, Sicotte, Somerville, Starnes, Stirton, Thibaudeau, White and Wright.—45.

NAYS:—Messieurs Abbott, Baby, Benjamin, Buchanan, John Cameron, Campbell, Carling, Caron, Cayley, Atty. Gen. Cartier, Cauchon, Chapais, Coutlée, Daly, Daoust, Dawson, Dionne, Dufresne, Dunkin, Ferguson, Fortier, Fournier, Galt, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Howland, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loux, Macbeth, Attorney Gen. Macdonald, McCann, McMicken, Meagher, Solicitor Gen. Morin, Morrison, Ouimet, Panet, Playfair, Pope, William F. Powell, Price, Roblin, Rose, Richard W. Scott, William Scott, Sherwood, Simpson, Tassé, Tett, Turcotte, Webb, Whitney and Wilson.—61.

Mr. D. ROSS moved in amendment that the amendments be returned to the Committee of the whole, with power to amend the same, by providing that whenever any election takes place, in any one of the cities of Quebec, Montreal or Toronto, in consequence of the seats of all the members of such cities having been found simultaneously vacant, no voter in such city shall have the right to vote in more than one electoral division, thereof in such election.

This was lost on division.

Hon. Atty. General CARTIER moved that the Bill, be at once read a third time.

Hon. Mr. DORION moved in amendment a different division of the City of Montreal, by which the eastern division would contain 3,137 voters, the center division 3,447 voters, and the western division 3,670 voters. This, he contended, would be a much more fair and impartial division, than that proposed by the Atty. Gen. East.

Hon. Atty. General CARTIER—There is no sense in that amendment—it is diametrically opposed to the division, under the Municipal Act for Municipal purposes.

The amendment of Hon. Mr. DORION was lost upon division.

YEAS:—Messrs. Aikens, Bell, Biggar, Bourassa, Bureau, Burwell, Clark, Connor, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Howland, Jobin, Laberge, Laframboise, Lemieux, D. A. Macdonald, J. S. Macdonald, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Dunbar Ross, James Ross, Rymal, Short, Sicotte, Somerville, Stirton, Thibaudeau, White, Wilson, Wright.—39.

NAYS:—Messrs. Abbott, Baby, Beaubien, Benjamin, Buchanan, John Cameron, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Coutlée, Daly, Daoust, Dawson, Désaulniers, Dionne, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Langevin, Laporte, LeBoutillier, Loranger, Loux, Macbeth, Attorney General Macdonald, McCann, A. P. McDonald, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Price, Robinson, Rose, R. W. Scott, W. Scott, Sherwood, Simpson, Tassé, Tett, Turcotte, Webb, Whitney.—63.

The Bill was read a third time.

On the motion for the passage of the Bill, several amendments proposed by the Hon. Atty. Gen. Cartier were adopted, and the bill then passed.

The House then adjourned, at 11.45.

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

QUEBEC, Wednesday, April 18th, 1860.

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

THIRD READINGS.

The following Bills were read a third time and passed:—

To abolish the 96th Cap. of the Consolidated Statutes of Upper Canada, declaring 3 Wm. IV. repealed by the Ashburton Treaty.

To incorporate the Montreal Art Association.

To regulate the standard weight of Hay and Straw.

To divide the Township of Windsor, County Richmond, into two distinct Municipalities.

WOODSTOCK MANUFACTURING COMPANY.

Hon. Mr. ALEXANDER moved for the second reading of the Bill to incorporate the Woodstock Woollen and Cotton Manufacturing Company.

The Hon. gentleman explained that the capital of the Company was to be \$50,000—of which \$5,000 was to be paid up to enable the Company to start. The object was a most beneficial one, and he was sure that it would meet with the good will of the House.

Hon. Mr. VANKOUGHNET was opposed to the principle of incorporating Trade Companies at all—but was forced to confess that in practice it was necessary. He could not understand why the Bill in question could not be incorporated under the general Act for the Incorporating Joint Stock Companies. It was a bad precedent to make laws, and then, in effect declare them of no use. If the General Act was found to be insufficient, it ought to be repealed—but if sufficient, these exceptions should not be allowed. However he would not oppose the second reading, if it was understood that special circumstances should be adduced to the Special Committee to which it should be referred, to show why it came under the General Act.

The Bill was then read a second time, and referred to a Special Committee.

TAVERN LICENSES.

Hon. Mr. DEBLAQUIERE moved the second reading of the Act to amend the Act respecting

the Municipal Institutions of Upper Canada, as to the issue of Shop and Tavern Licenses in Cities. The Hon. gentleman explained that this was the same Bill that had been approved of in the Council last year, but was lost in the other House. Its object was to restrain the issuing of licenses.

The Bill was read a second time.

INSURANCE COMPANIES.

Hon. Mr. PATTON moved the second reading of the Bill to amend Chap. 58 of the Consolidated Statutes of Canada as regards the Investment of money by Insurance Companies.

The Bill was read a second time, and referred to a Select Committee composed of Messrs. *Allan, Campbell*, and the mover.

APPOINTMENT OF CONSTABLES.

The Bill to amend the 17th chap. of the Consolidated Statutes of Upper Canada, as regards the appointment of Constables, was read a second time and referred to a Select Committee composed of Hon. Messrs. *Patton, Vankoughnet*, and *Simpson*.

QUAKERS.

The Bill to remove doubts as to the validity of Marriages solemnized in Lower Canada, by the Religious Society of Friends commonly called Quakers, was read a second time and referred to a Select Committee composed of Messrs. *Chris'ie, Moore*, and *Dessaultes*.

MISSISQUOI AGRICULTURAL SOCIETY.

The Bill to provide for the election of Officers and Directors of the County of Missisquoi Agricultural Society, for the year 1860, was read a second time, and referred to a Select Committee composed of Hon. Messrs. *Moore, Knowlton*, and *Hollis Smith*.

INSURANCE COMPANIES NOT IN THIS PROVINCE.

Hon. Mr. PATTON introduced a Bill intitled "An Act in relation to Insurance Companies not Incorporated within the limits of the Province."

The Bill was read a first time, and ordered to be read a second time on Friday.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, April 18, 1860.

Mr. SPEAKER took the chair at three o'clock.
BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend chap. 9, of the Consolidated Statutes, respecting the civilization and enfranchisement of certain Indians.—Hon. Atty. General *Macdonald*.

BILL to amend the Act Incorporating the International Bridge Company.—Hon. Mr. *Foley*.

BILL respecting the Point Burwell Harbour.—Hon. Mr. *Rosc*.

BILL to facilitate the winding up of Insolvent Joint Stock Companies.—Mr. *Abbott*.

THE CANADIAN TARIFF.

Hon. Mr. GALT laid on the table, a copy of the correspondence between the Imperial and the Colonial Governments, on the subject of the Canadian Tariff.

THE ESTIMATES.

On the motion of the Hon. Mr. GALT, the message of His Excellency the Governor General, with the Estimates for the current year, was referred to the Committee of Supply.

FINANCIAL STATEMENT.

The House having gone into Committee of Supply, Mr. BENJAMIN in the chair,

The Hon. FINANCE MINISTER said, in asking the Committee to vote the first item in the Estimates, he would take the opportunity of making a short statement in reference to the Financial position of the country, and of referring generally to the Estimates which had been laid before the Committee. He was happy to have it in his power to meet the House with a somewhat more satisfactory statement, than that which he had to offer last year. On this occasion, they had not to look forward to the necessity of imposing greatly increased burdens on the country; they had not to regret the same lamentable state of depression, under which the country was at that time laboring; they had not to look back to a failure of the previous year's harvest. No! They had to thank a beneficent Providence, that last year, they had an abundant harvest, and although they could not congratulate themselves on the complete revival of trade, there were, nevertheless such symptoms of improvement, exhibited in the Revenue returns, that, he was happy to say, they were not called upon to increase, in any respects, the burdens of the country. On the contrary, they felt that, to some slight extent, they might be reduced, and further that, while last year they were obliged to curtail many items of expenditure which had before been sanctioned by Parliament, they would this year be again enabled to ask the House to vote them as before. He referred more particularly to those which affected the Agricultural community. The Public Accounts, which had been recently brought back, would be found to contain, as they did last year, and abstract of

the expenditure for the year that was past. Considering that this statement went over most of the items of that account, and that the statement itself, was in an analysed form, it would not be proper for him to occupy the time of the Committee, by adverting to it at great length, still, at the same time, it was only proper that he should call the attention of the Committee to some of the more prominent items, because, as was well known, statements of that kind, even, although attached to official documents, were often overlooked by the public. In the year 1858, the Government were obliged to state to the House, that there was a deficiency on the year of no less than \$2,535,000. This year, on the other hand, they were able to state to the House that that deficiency, had been re-versed to \$451,000—(Hear, hear,)—and that this had been accomplished without impairing the deficiency of the public service in any way. There had been no complaints made against the Government, of a want of proper care, either as respected the administration of Justice, Education, or any other department; but a rigid economy had been exercised, and the result was to be found in the Public Accounts. As regarded the Administration of Justice, it had always been a ground of complaint in the Western Section of the country, that that section paid a larger proportion of the Expenses than the Eastern Section—or to state the point, perhaps, more correctly, that the Expense charge upon the public Revenue was greater in the Eastern Section than in the Western Section. The administration of Justice in Canada East cost, in 1859, \$346,149, while the law fees obtained under acts of the Legislature were \$98,707, the balance, chargeable on the general revenue, being \$247,447. In Canada West the total expenditure had been \$336,373; law fees \$98,151, the balance being \$248,228. The two amounts were thus as nearly as possible even. (Hear, hear.) At the same time it was proper to state that under an Act, passed before the Union, certain law fees existed in Upper Canada, which amounted to \$54,000, which did not exist in Lower Canada, and to that extent it might be said there was a reduction of the expenses of Justice in Canada West. When the comparison was made between the expenditure in Lower Canada in 1858 and 1859, it would be found that the reduction in the latter year was no less than \$53,725. This, he thought, was a satisfactory result of the measures which had been brought into the House by his Hon. friend, the Attorney General East, for he had been enabled in one year to reduce the charge one-seventh on the whole amount, and these measures had not even yet had their full effect. (Hear.) When the Court House and Goals were in operation in all the districts in Lower Canada, there would be a still further saving in the expenses of Criminal Justice also, because the present system of sending witnesses and prisoners from one part of the country, to another far distant, would be discontinued. So that before long, even taking the special fund of \$54,000 for Upper Canada

into account, the administration of Justice would cost no more in this than in the other section. (Hear.) He would not occupy the House by going over the various items of last year's Expenditure, because he believed they had been fully, and at the same time fairly set forth in the Public Accounts. It would be seen that, in almost every item, there had been a reduction of charge. In the case of the Department of the Public Works there had been a considerable reduction both in the cost of management and in the works themselves. In reference to the general expenditure of the country—that which involved the cost of the civil government, the collection of revenue &c.—it would be seen that there had been a decrease in the charge of \$194,000; and while that reduction was in itself satisfactory, still it must be more satisfactory when they considered the amount of labour and work performed. The amount collected in 1859 was \$5,667,000, at a charge of \$695,000; or about 17 per cent; while in 1858, the amount collected was \$4,238,000, at a charge of \$1,159,000, or about 27 per cent. Now it must be evident to every one that the per centage on the collection must, to a certain extent, depend on the amount of the collection, for a large sum could be just as well collected at the same cost as a small one. Still, this result must be satisfactory to the Committee, for the effect of the measures of the Government had largely increased the Revenue, while the cost of its collection had been largely decreased. While referring to the expenditure of the past year, it might be well for him to advert to two or three of the financial measures which were passed last session, all of which had been highly satisfactory. He would refer first to the Municipal Loan Fund Act. It would be remembered that under the old Act the whole amount received by the Government from the different municipalities, on account of their respective municipal debts, was only \$49,672. But under the Act of last session, by which the Municipalities were required to pay the sum of 1s. in the £ on the assessed annual value of each Municipality, the amount received by the Government was \$346,785, or \$297,113 more than last year. And he was happy to be able to add, that the new act had been acceded to and carried out, with scarcely an exception, by every Municipality indebted to the Province. Then, with regard to the Northern Railroad Bill, although a great deal of objection had been taken to the course proposed by the Government, he was happy to say the result had been highly satisfactory. The Company had not only repaid the Government an advance of \$60,000, but they had repaid, also, the advance made two years previously. They had, besides, raised funds sufficient to pay off an amount of claims which at one time threatened to drive them into bankruptcy, and sufficient, also, to put the road into repair, and for the completion of the works. This was satisfactory, but he was informed further by the Directors that such an increase had taken place in the business of the road as was quite sufficient to meet the interest on the

new capital, and they were of the opinion that, when the works were completed and the road in thorough repair, they would be able, with additional economy, not only to pay the interest on the preferential capital, but a dividend also on that which was second to the preferential capital. He would now advert to the Tariff which the Government had the honor of bringing down last year. As a great difference of opinion existed in regard to it, he might fairly be expected to say a few words in reference to the working of it. And he might take this opportunity of saying that the dissatisfaction expressed was not confined to this country, but extended to certain interests in Great Britain. The Chamber of Commerce, at Sheffield, memorialized the Colonial Secretary, the Duke of Newcastle, in reference to it, and a correspondence between the Imperial and Canadian Governments had been the result. That correspondence he had the honour of bringing down to the House to-day in answer to the Address to His Excellency, and it would be found from it that the Government had not failed towards the House or the country, in asserting the rights which he believed they possessed. The Duke of Newcastle, in his letter to the Canadian Government, expressed views of rather a strong character, and even went so far as to intimate, indirectly perhaps, but inferentially, that, under certain circumstances, Her Majesty might be advised to disallow acts of this kind of the Colonial Legislature. He (Mr. Galt) would read an extract from the answer which the Government of this country thought it their duty to make on that point:—

“From expressions used by His Grace in reference to the sanction of the Provincial Customs Act, it would appear that he had even entertained the suggestion of its disallowance, and though happily Her Majesty has not been so advised, yet the question having been thus raised, and the consequences of such a step, if ever adopted being of the most serious character, it becomes the duty of the Provincial Government distinctly to state what they consider to be the position and rights of the Canadian Legislature. (Hear, hear.) Respect to the Imperial Government must always dictate the desire to satisfy them that the policy of this Country is neither hastily nor unwisely formed, and that due regard is had to the interest of the Mother Country as well as of the Province. But the Government of Canada, acting for its Legislature and people, cannot, through those feelings of deference which they owe to the Imperial authorities, in any manner waive or diminish the right of the people of Canada to decide for themselves both as to the mode and extent to which taxation shall be imposed. The Provincial Ministry are at all times ready to afford explanations in regard to the acts of the Legislature to which they are party—but, subject to their duty and allegiance to Her Majesty, their responsibility in all general questions of policy must be to the Provincial Parliament, by whose confid-

“once they administer the affairs of the country. And in the imposition of taxation, it is so plainly necessary that the Administration and the people should be in accord, that the former cannot admit responsibility, or require approval, beyond that of the local Legislature. Self-government would be utterly annihilated if the views of the Imperial Government were to be preferred to those of the people of Canada. It is, therefore, the duty of the present Government distinctly to affirm the right of the Canadian Legislature to adjust the taxation of the people in the way they deem best—even if it should unfortunately happen to meet the disapproval of the Imperial Ministry. Her Majesty cannot be advised to disallow such acts, unless Her advisers are prepared to assume the administration of the affairs of the Colony, irrespective of the views of its inhabitants. (Hear, hear.) The Imperial Government are not responsible for the debts and engagements of Canada, they do not maintain its Judicial, Educational, or Civil Service, they contribute nothing to the internal government of the country; and the Provincial Legislature, acting through a Ministry directly responsible to it, has to make provision for all these wants; they must necessarily claim and exercise the widest latitude as to the nature and extent of the burdens to be placed upon the industry of the people. The Provincial Government believes that His Grace must share their own convictions on this important subject, but as serious evil would have resulted had His Grace taken a different course, it is wiser to prevent future complication by distinctly stating the position that must be maintained by every Canadian Administration.” (Applause.) These were the views which the Government felt it their duty to lay before the Imperial Government, and it would be seen from the correspondence that the Imperial Government had been obliged to admit, in reference to the points upon which they objected to the Tariff, that the Government of this country was right. The effect of the Tariff would be seen on reference to the Trade and Navigation Returns. It had been complained by the Hon. member for Hamilton that he (Mr. Galt) had chosen to raise the duty on certain articles which entered into general consumption. Well, it was stated by him (Mr. Galt) that, in order to raise a larger revenue, it was absolutely necessary to increase the duty on those articles. If the effect of raising the duty had been to diminish consumption, it might have been maintained that he had been wrong. But so far from that having been the effect, he was happy to say that, with one exception, the importation in respect of these articles, had been much greater in 1859 than in 1857. He did not propose to institute a comparison with 1856, because that was an exceptional year, but if such a comparison were made it would be found much more favorable. In the article of woollen goods, the value of the importations in 1859 was \$5,068,116, while in 1857 it was \$4,947,354. Of woollen goods the value in 1859 was \$3,562,716, and

in 1857 \$3,907,780, being slightly in excess of 1859, attributable to the increased production of woollen goods in the country. He would call the attention of the Hon. member for Lambton to the fact that the value of Tea imported in 1859 amounted to \$2,330,201, while in 1857 it was only \$1,350,601. (Hear, hear.) The value of unrefined sugar in 1859 was \$1,764,963; of fine sugar, \$127,609 against \$2,095,288 in 1857. The value of Tobacco in 1859 was \$574,943, against \$602,030 in 1857. Of molasses in 1859 \$237,145 against \$466,394 in 1857. Of Iron in 1859 the importations amounted to \$2,669,469, against \$4,118,579 in 1857. The total of these articles which formed the great bulk of the consumption of the country amounted in 1859 to \$16,335,153 against \$17,448,035 in 1857. The importations of Iron in 1857 were swelled by the Railway works then going on, and which amply accounted for the difference in that item. Taking other articles of hardware, the value of importations for 1859 was at least equal to 1857. The Government had been obliged, reluctantly, to impose an increased taxation on the country to obtain the larger revenue required. The result had been that they had obtained, in 1859, from duty on the articles he had named, \$2,971,644, while in 1857 the duty on the same articles was only \$2,375,912. It was a subject of regret that it was necessary to increase the duties, but at the same time it was satisfactory to observe from the statements he had made, that the duties had not yet reached the point which prevented the people of the country from using as much as they needed of the common requisites of life. In support of this argument he would revert to the fact that the decrease in importation had been confined to what were called the luxuries of life; the value of which, in 1859, amounted \$7,076,927, against \$9,534,659, in 1857, yielding duties in 1859 of \$1,446,202, and in 1857 of \$1,549,139. But, in articles of consumption considered actually necessary, there was no falling off whatever: showing, conclusively, that the country had been exercising a wise and laudable economy in those things they could most conveniently do without. The effect of the increased duties had, undoubtedly, been to stimulate home manufactures. In the one article of leather, on which the duty was now twenty-five per cent., the importations in 1857 were valued at \$1,046,637, and yielded a duty of \$183,617, while in 1859, the value of the importations were only \$562,211, and the duty \$119,470. Leather goods were of general utility, and the necessity for them must have been provided for by manufactures within the country. The same remark would apply to the decrease in importation of woollen goods. It must be a matter of congratulation to the House that, while our financial necessities compelled us to maintain the present duties, these various branches of industry were thriving. He hoped it might be possible at a future day, to reduce those duties; but, so long as the engagements of the country were of the present imperative

character, such a reduction could not be deemed expedient; at least, not for several years to come. He would now refer to the total exports and imports, in comparison with the trade of 1857. The total imports of 1859 amounted to \$33,555,161, and the exports to \$24,766,981. The balance against the country was therefore \$8,788,180. The total imports for 1857 were \$39,430,598, and the exports \$27,006,624—the difference being \$12,423,974. This statement of the imports for 1859, he believed to be considerably below the real figure. The articles of export of these two years were as follows:—

	1857	1859
Wines. - - -	\$286,469	\$468,512
Fisheries, - -	540,113	817,423
Agriculture, -	11,144,944	11,129,300
Manufactures, -	398,821	487,231
Short Returns, -	1,566,205	1,664,603
Forest Products, -	11,575,508	9,663,962
Ships, - - -	1,556,205	421,566

The decrease in exports had taken place wholly in the productions of the forest and in ships, but it might be satisfactory to know that in those two items the exports of 1859 were over those of 1858. The decrease in the trade in ships was attributable mainly to general depression in ship-building all over the world, owing to the extensive introduction of Iron Steamers in place of wooden vessels; and this fact ought to impress the House with the importance of re-establishing that branch of business by finding a new market for our exports. The conclusion he would draw with reference to the expenditure and revenue for the last year, was that, while the country had passed through a depressed and trying period, and had suffered from the withdrawal of a large expenditure, and a great stimulus to business on the completion of the railway, the people had been satisfied at the same time to increase their industry, and reduce their expenditures. Had the Government not adopted their present course, discredit would have fallen on the country in her inability to pay her common debts, and affairs would have been very much worse, than they now were. With regard to the Estimates for the year 1860, he hoped in the first place the Committee would approve the manner in which they had been presented to the House. The mode of laying the accounts before the country, and the Estimates before the House, had been improved from year to year since the advent of the Honorable Mr. Hincks, when the books were not kept by double entry. He proposed to dwell on the whole outlay of the Province, from whatever cause it might arise, whether in the administration of the ordinary affairs of the country, or from any other cause. He would state exactly what he believed would be the gross outlay of the country from the 1st January to the 31st December, what the receipts, and how it was proposed to meet a deficiency, should any occur. It was perfectly clear that though the Trust Funds were not under the control of the Government, they were under the control of the House, and the Parliament must

show the expenditure of the whole. They were funds which belonged to the Province at large, and which Parliament had a perfect right to deal with. He would, therefore, state under various heads, what the Government expected besides the revenue from ordinary sources. The total expenditure for 1860 was estimated at \$14,473,552. In that were included the items for the full payment of the Imperial Sinking Fund, and also for the full amount of interest accruing on the Public Debt of every description, including the new Loan, and the charges for raising the Loan and the assumed amount of discount of 2½ per cent., which would have to be paid on nearly the whole of the new Loan. The interest on the Debt was estimated at \$3,762,853, including the interest at five per cent. on the \$2,800,000 of the new loan. In reduction of this was to be placed the interest which was expected on the investment of the new Loan, or, which would be equally valuable, the delivery to the Province of bonds bearing interest. With regard to the item of management, it would be observed that it was swelled to the amount of \$181,559, but the ordinary expense of management would be, as in the accounts of last year, \$30,692. That item in 1860, included the commission paid to Agents of the Province, and one-quarter per cent. brokerage on the estimated amount of \$1,000,000 of the new Loan sold in the Stock Exchange. So it would be seen that \$150,866 was an exceptional item, arising entirely out of the Loan. It would also be observed that there was \$304,164 under the head of discount. This, it was estimated, would arise out of the new Loan, and it would be observed that the whole amount was charged against the income of the year 1860, so that whatever advantage was gained would accrue to future years, the whole burden being borne by the present year, and could not occur again. The Estimate also appeared for the first time of a new Sinking Fund; the fund for the redemption of the \$2,800,000. The amount produced by the Sinking Fund was \$68,133. The estimated amount of the Sinking Fund for the Imperial Loan was \$3,750,052, which completed the purchase of the India Bonds. The two and a half per cent. was included in that charge; and it was hoped that at some future time when the Bonds were sold, that amount would return to the revenue, but at present it was charged against it. It might be interesting to the country to know in what position the revenue of the country would have stood, if the operation which had been so widely discussed had not been effected by the Government. The charge for the estimated wants of the country under the previous arrangement, would have been \$3,613,798, or \$18,595 more than the expenses as now estimated, deducting the exceptional charges peculiar to the year 1860. The annual expenditure would be much reduced in future years. When we had redeemed the \$7,000,000, there would be a saving of \$420,000, and the charge would be reduced to \$3,342,853. Then for several years we should receive from

the Imperial Sinking Fund, \$356,506. Consequently the whole amount, after the year 1860 until the re-payment of the Imperial Loan, would be \$2,986,347, against \$3,454,700, which would have been required had this arrangement not been made. There would be an absolute saving next year of the interest of \$468,353.

Hon. Mr. BROWN—Hear, hear!

Hon. FINANCE MINISTER said, that under the previous arrangement we should have had to provide \$146,000 for the Imperial Sinking Fund, while under the new arrangement the amount was reduced by the new Sinking Fund to \$77,860, making a total reduction in the charges of \$546,220. He would now draw the attention of the Committee to the expenditure as stated in the Estimates. The five first items, viz.: the interest on the Public Debt, the Charges of Management, the New Sinking Fund, the Sinking Fund on the Imperial Loan and Discount, amounted together, to \$8,066,761, leaving a balance of \$6,406,791; from which, however, should be deducted the Imperial Loan Sinking Fund of \$3,750,000 as exceptional, and the item of Public Works, which might be subject to modification. The total expense of the country would then be \$7,523,500, and he would briefly glance over the items. The basis upon which the Estimate was made was the expenditure of last year; but he desired to say that it was not to be understood by the country, that the whole amount asked for would necessarily be spent. Authority was asked for expending the sums stated, but every effort would be made to keep down the actual disbursements below the respective amounts. The Government did not wish to be put to the necessity of coming down to the House next year to ask its sanction to some unforeseen expenditure; and he much regretted that there should be in the Accounts of the past year, an item of \$50,000, not provided for in the Estimates for that period. He hoped no such item would appear in any future accounts. He would not go into the details of the sum asked for the civil Government, as they would be in the hands of the Committee before the vote was asked, and the particulars would appear as payable to the various classes of clerks, with the authority under which the votes were made, with the supplementary amounts required under the head of 1860. If any explanations were required he would be ready to make them when the House was asked for concurrence. He was happy to say, that the Hon. Attorney General East expected to be able to reduce the costs of the administration of Justice, and that he was engaged in a rigid scrutiny of the emoluments of Sheriffs, Prothonotaries and others, with the view of introducing greater economy in that branch of the Public Service. In the matter of Police expenses, there was a reduction of \$10,000 upon the amount of last year, but the item for the Provincial Penitentiary, the Reformatories and Prison Inspections was somewhat increased. This arose out of the creation of the establishment at Rockwood, in connection with the Peni-

tenentiary, which had cost \$33,000, of which \$21,000 was for the erection of the necessary buildings. This charge would, of course, not occur another year, and might therefore be considered exceptional. The cost of legislation was hardly a matter of which the Government had the responsibility, for it was within the purview of the Houses and must be controlled by themselves. He would be glad that they should follow the example of the Government in endeavoring to exercise a proper economy. For Education, East and West, a similar vote to that of last year was asked. There might be some difference in the expenditure, as the income was derived, in part, from certain funds which might increase or diminish, and it would of course depend upon the amount received. For Literary and Scientific Institutions, the amount was the same as last year; but the sum for Hospitals and charities was larger, which, he believed, no one would regret. It was, of course, necessary to provide for that unfortunate class of our fellow creatures who were deprived of their reason, and as he concluded that it would never be smaller than at present, he had no doubt that the disposition always evinced of ministering to their necessities, would continue to be exhibited. The same remark would apply to the charities, to which the public contributed largely in the way of time and private means, so that it might be said, there was scarcely a case of distress in Canada which was not to some extent mitigated. He believed that the public money voted to these institutions had been well applied, and he had no doubt it would be equally well applied in future. There were two or three trifling alterations in the details, which would be seen under the proper heads. The sum appropriated to the Geological Survey, was that authorised by law, and he understood from Sir William Logan that it would be sufficient, or within the amount. The sum voted for Militia purposes last year, was not all expended; the appropriation being \$40,000, and the actual outlay \$32,019. So that the Department did not cost by \$7,981 as much as was anticipated; but it was now the duty of the Government to ask for a larger sum, the case this year being exceptional, and of course a proper subject for discussion. The reason for the increased amount was, the expected visit of His Royal Highness the Prince of Wales, and our Citizen Soldiers would, of course, be desirous of doing honor to the Prince by making a becoming appearance. This sum would be wanted for the purpose of furnishing additional uniforms, and other unavoidable expenses, and he believed the House would not object to give the power to the Government to provide what was wanted.

Hon. Mr. FOLEY—What did they want with great coats?

Hon. Mr. GALT—It would be difficult for the Militia to pass a winter in Canada without great coats. The item for Agriculture was larger than last year, and embraced a sum for the purpose of promoting a general Provincial Exhibition. Last year, this interest had been

deprived of one third of its allowances, and it was with much regret that that course had been recommended; but, now that the revenues of the Province were improving, he thought it was only right to revert to the grants authorised by law; and if it were not done, it would be the duty of the Government to repeal the Act, for it was not right to withhold what was guaranteed by law.

Mr. AIKENS—What about the grants to Mechanics' Institutes.

Hon. Mr. GALT said, Mechanics' Institutes were not equal in importance to Agricultural Societies, and he feared that in many cases they had not yielded the advantages expected from them. He was not prepared at present to ask the House for a supply on their behalf. The amount assigned for Emigration was smaller than usual, and this arose from a reduction of the expenses of the establishment at Grosse Isle, which was not now required upon the extensive scale of former years. Happily, Canada had escaped epidemics of late, and therefore the outlays for Quarantine might very properly be reduced. In pensions and Indian annuities there was no alteration. For Public Works, and repairs to Public Buildings, the sum of \$1,200,000 was stated as the probable outlay, and the particulars would be brought down by the Hon. Commissioner showing the objects to which it would apply. He might say generally that it was wanted for work on the Canals, and for carrying out the contracts that had been entered into, particularly for the Public Buildings at Ottawa, for which \$400,000 would be required. But of this \$1,200,000, a large part was provided under old appropriations.

Hon. Mr. BROWN—Did the Hon. member mean to say, that they would expend money under such authority?

Hon. Mr. GALT—Parliament had voted money for works that were not completed, and therefore it was not necessary to ask for the grants again, and the sum was merely stated for the purpose of showing the amount of money that would be required during the year. Only so much of this sum, as was not already provided by former votes, would of course be asked. For Railroads and Bridges, \$89,104 was put down, of this sum \$50,000 was to be expended on Colonization roads already opened, and the balance of \$39,000 was for other roads, but \$25,000 would be wanted by the Commissioner of Crown Lands, to construct other Colonization roads, which he believed would like the others, be productive of the greatest public benefits. The next item was the Ocean and River Steam service, for which \$440,000 was wanted, viz., \$404,000 for the Ocean Steamers, and \$24,000 for the Tug service above Montreal. No vote was asked for Tug service below Quebec, for that would be accomplished in another way, and the subject would shortly come up for discussion, when the arrangements of the Governments would be explained.

Hon. Mr. BROWN—What's that?

Hon. Mr. GALT—It was known that the Government had bought the Tug Steamers from Mr. Baby, and that without going into the Tug boat business, as had been said they were going to do. They expected to do the service through the Trinity-House, in a way which would be perfectly satisfactory, and would result in a saving of \$15,000, an arrangement which he was sure would commend itself to both the House and the country. As regarded the Ocean Steamer Subsidy, the Act recently passed, authorized the Government to commence the increased payment from 1st April, but the sum in the Estimates was calculated as commencing on 1st of January, and the explanation was that this Company were to get the Ocean Postage from that date, but it was not to be in excess of the difference between the former Subsidy and the present. If it fell short, it would only make a corresponding deduction in the Ocean Postage on the other side, and would not therefore affect the financial results, with respect to Light Houses, and the Steamboat Inspectors, no remarks were necessary, for these items would be treated of fully in the statement of the Commissioner of Public Works. The Municipalities Fund, East and West, was produced by the Clergy Reserves, and the amount collected by the Crown Lands Officer last year, and held for distribution on the 1st July next, amounted to \$203,125, which would be divided under the Act of last Session, among the Municipalities not indebted for loans to the Government.

Hon. Mr. BROWN—If these Municipalities paid 1s. in the £, would they be entitled to their share.

Hon. Mr. GALT—No, the law expressly stated that Municipalities in debt, will not share in such division, and this was the true spirit, as well as the letter of the law. The Indian Fund required no comment. Respecting the expense of collecting the revenue, he would only say it was both the duty, and the desire of the Government to reduce it as much as possible, and no vote of the House was required on the subject, as it was deducted from the collections. With regard to his estimate of what the customs would produce, he thought he might have been justified in putting the sum higher, but depending as we did, for our imports upon the measure of our crops, the extent of which we could not foresee, he had only stated it at \$50,000 over last year. There would be a small loss of duty on books of \$18,000, and the Free Ports would occasion another reduction, together probably \$40,000, but on the whole he thought he was justified in assuming an increase of \$60,000 or \$70,000 when compared with the revenue of last year, from this source. The Customs receipts for the first quarter of 1859, amounted to \$811,053, and those of the same period this year to \$742,934, showing a decrease of \$70,000; but the new Tariff came in force on the 12th March last year, and the Bonded warehouses were cleared of all the goods they contained, which accounted for the difference. The receipts for the first sixteen days of April last

year, were \$212,087, and for the same time this year, \$292,243; so, that on the whole, there was a balance from 1st Jan. to 16th April, in favor of this year, of \$12,038; and therefore, he thought we might expect a steady increase of \$8,000 or \$10,000 per month. From Excise, the sum estimated was the same as last year, but there might be a trifling increase, and they would try to get all they could out of the distillers. The Post Office was stated as self-supporting. It was somewhat difficult to arrive at an exact appreciation of the case, as the accounts of that Department were closed on 30th September, whereas the general year ended on 31st December.

Hon. Mr. FOLEY—Why not make them close at the same time?

Hon. Mr. GALT said, he might state, however, that the first quarter of 1859 yielded \$71,070 and that for 1860 \$150,037, so he thought he was justified in assuming that the result would be as he had stated. The sum put down from Ocean Postage was not credited to the Post Office, and he scarcely thought it properly appertained to that Department. It was estimated at \$200,000, and he trusted it would go on increasing as the St. Lawrence route became better known. From the Public Works \$400,000 was anticipated, and as they had yielded \$330,000 last year he thought the estimate would prove accurate. The Territorial Revenue last year was \$482,227, and he had placed it at \$600,000 for this year, believing it would fully come up to that amount. The amount received by the Crown Lands Department and already paid to the Receiver General this year, amounted to \$498,484, against \$128,622 to the same period last year, which showed an excess of \$369,862, so he felt fully warranted in offering his Estimate. He did not think it necessary to remark further upon the Special Revenues or the guaranteed and advance accounts, further than to say that in order to share in the distribution of the Clergy Reserve Fund, the indebted Municipalities would probably make efforts to pay off their loans, but he would allude to the interest due by the Great Western Railway, on account of a newspaper report that the Government intended to waive their claim for three years from 1st July last. This was wholly incorrect, for the Government had come under no such arrangement. An application to that effect had been made by the Manager of this Company a short time ago, but the answer returned was that the "Government could not take such a step without the consent of Parliament, and that they did not feel prepared to recommend it. It was, however, stated at the same time, that the Company would not be unduly pressed for the payment of the sum, that the monies due by the Post Office to the Company, should be applied to the interest, and that, for the balance, the Company would be charged at the rate of six per cent. While he felt bound to contradict the

statement made by the London Director, he was glad to see that the affairs of the Company had so far improved as to allow of a dividend being paid on the capital share—a circumstance which he was not led to expect, and which warranted him in thinking it probable that the Company would, in a short time, be able to meet all its obligations. Turning from this he came to the item of the revenue—the ordinary, special, Guarantee and Trust Funds—amounting to \$8,408,752; the Imperial Sinking Fund was \$356,506, of which \$150,000 had been received back; the interest on the new Loan, \$36500, making in all \$9,280,660. The expenditure being \$9,523,500, a deficit of \$242,840 was thus left to be provided for. However, it must not be lost sight of that there was also a further reduction in charges for next year of \$346,221. The above presented, he thought, a hopeful view of the state of our finances, and looking at the decrease in our expenditure next year, the Government would not call on the House to make any permanent provision for the deficiency. Again, the total receipts amounted to \$22,907,326; deduct \$9,280,660; the total of receipts set forth above and \$13,626,666, will remain, as the amount of the new Loan. This Loan was received at par; and of the amount \$3,750,052 had been paid for the Imperial Sinking Fund; \$800,600 remained yet to be provided for the buildings at Ottawa; \$400,000 had been provided—\$1,200,000 being the sum originally proposed to be expended. With regard to this, the Government did not intend to put our securities in the market for the \$800,000, on account of the large sum already at the credit of the Province—and he proposed to raise that sum from the means already at command. There would now be a balance of \$8,433,774—the difference between the total expenditure and the total receipts. With regard to the mode of meeting our engagements, he would say, that at the beginning of the year the Province owed \$1,201,459. There was a standing credit of £250,000 sterling, which could be used at any time—but as it involved an interest to be paid of five per cent, he did not think that he would be justified in applying to it. The 6 per cent. Currency Debentures would require \$7,197,598 to redeem them; the Feudal Tenure, \$6,216,666; the Ottawa Buildings \$973,333—of which \$400,000 had been provided—amounting in all to \$8,987,396. He proposed to make good the \$800,000 for the permanent works, which with the credit not yet used would amount to \$9,494,821 against \$8,987,396 liabilities; then the redemption of the contemplated Debt, is provided for. He had thus laid before the House a clear statement of the Finances of the Province. Nothing was concealed—for he believed that concealment would be productive of no good; and he appealed confidently

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, April 18, 1860.

FINANCIAL STATEMENT.

(Concluded from our last No.)

to the House to sustain him. The deficit was a small one, yet, with one exception everything had been provided for. Last year there was an excess of \$396,000 in the receipts, which was still at the command of the Government. He believed that this was the last year in which he would have to call upon the House to meet a deficiency. He was happy to say that the causes—undue speculation and bad investments—which led to former deficiencies, did not now exist. Under ordinary circumstances, it would have been difficult for the country to have maintained its position with the result of the speculation mania, but when this was coupled with a succession of bad harvests, it was not to be wondered at that there had been a small deficit in the revenue. After this year, however, he looked to see the country prosperous once more. He trusted that this was the last year in which he would have to come down to the House to ask for a supply to make up a deficiency—and that in future, the Revenue would be found equal to the expenditure. There was only one point more which he had to allude to—the expected visit of His Royal Highness the Prince of Wales. The House would see that no provision had been made in the Estimates for a supply for this item. The reason of this was that, with the limited information which the Government had, no estimate of what the necessary expense would be, could be formed. The extent of the information was that the visit was to take place in July. If the desired information was received in time, it would be the duty of the Government to submit the amount to the House. But if not, the Government should ask for the necessary authority to expend such a sum as would sustain the honor of the country on the occasion. He hoped that the approaching visit would inaugurate bright

days for the Province—and, that as this was the first time that a member of the Royal Family visited the Colony which was justly called the brightest jewel in the British Crown—that the occasion would not fail to add new lustre to that gem. The Hon. gentleman resumed his seat amidst applause.

The Committee then rose, reported progress, and asked leave to sit again on Friday.

MONTREAL GAS COMPANY.

The House went into Committee of the Whole on Hon. Mr. Rose's Bill to authorise the new City Gas Company of Montreal to increase their Capital Stock, and reported it without amendment.

INTOXICATING LIQUORS.

The report of the Committee of the Whole on the Bill to prevent the unlicensed sale of Intoxicating Liquors in the unorganized tracts of this Province, was received, and the Bill read a third time and passed.

SECOND READINGS.

The following Bills, in the hands of members of the Government, were read a second time :—

BILL to confirm a Survey of the Concession Line between the 9th and 10th Concessions of the Township of Hope, made by John Hewson, P. L. S., and for other purposes.—Hon. *Sidney Smith*.

BILL for Incorporating and granting certain powers to the Agricultural Loan Association of Canada.—Hon. *Sidney Smith*.

BILL to Incorporate the Terrebonne Navigation Company.—Hon. Mr. *Morin*.

BILL respecting the Special Provisions concerning both Houses of the Provincial Parliament.—Hon. Mr. *Cartier*.

BILL concerning the Administration of Justice in Lower Canada.—Hon. Mr. *Cartier*.

BILL to amend the Act Incorporating the Montreal Protestant Orphan Asylum.—Hon. Mr. *Rose*.

BILL to amend "An Act respecting Barristers-at-Law."—Hon. *J. A. Macdonald*.

BILL to amend "An Act respecting Attornies-at-Law."—Hon. J. A. Macdonald.

BILL to amend "An Act respecting the Law Society of Upper Canada."—Hon. J. A. Macdonald.

BILL to amend "An Act respecting the Municipal Institutions of Upper Canada."—Hon. J. A. Macdonald.

BILL to regulate the removal of Causes from County Courts.—Hon. J. A. Macdonald.

PRIVATE AND LOCAL BILLS READ A THIRD TIME.

The following Bills were read a third time and passed:—

BILL to Consolidate the Debt of the Town of Bowmanville.—Mr. John Cameron.

BILL to Authorise the sale of the site of St. George's Church, in the Town of Guelph, in the County of Wellington, and the raising of money by mortgage on the latter for the purpose of erecting a new Church thereon.—Mr. Stirton.

BILL to Incorporate the Town of Three Rivers.—Mr. Turcotte.

PRIVATE AND LOCAL BILLS PASSED THROUGH COMMITTEE.

BILL to Incorporate the Montreal and Chamblay Steamboat Company, known as the "Ligne du Peuple" (and amendments).—Mr. Campbell.

BILL to Extend the period allowed to the Montreal Telegraph Company for extending their Line to the Atlantic coast and across the Atlantic.—(Reported).—Mr. Whitney.

BILL to declare the mode in which the Side Lines of the First Concession of the Township of Cumberland, in the County of Russell, shall be run (and amendments).—Mr. Loux.

BILL to Incorporate the Drummond and Arthabaska Counties Railway Company (and amendments).—Mr. Dunkin.

SECOND READINGS OF PRIVATE AND LOCAL BILLS.

BILL to amend the Act relative to the Montreal and Champlain Railway Company.—Mr. Dunkin.

BILL to amend the provision of the several Acts for the Incorporation of the City of Montreal.—Hon. Mr. Dorion.

BILL to Incorporate the Town of Sorel.—Mr. Sincennes.

BILL to Incorporate the Town of Ingersoll, and to divide the same into Wards.—Dr. Connor.

BILL intitled "An Act to Incorporate the Melbourne Female Seminary."—Mr. Webb.

BILL to Repeal the Act Incorporating the Toronto Mechanics' Institute, and to permit the same Institute to be Incorporated under the general Act Incorporating Mechanics' Institutes, (from Legislative Council).—Mr. Robinson.

BILL to enable the Rector and Church-wardens of the Church of St. Paul, at Woodstock, to sell certain lands belonging to the said Church, (from Legislative Council).—Hon. Mr. Foley.

BILL to Incorporate the Academy of St. Romuald de Farnham.—Mr. Whitney.

The House then adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Thursday, April 19, 1860.

Hon. Mr. SPEAKER took the chair at 2 o'clock.

REAL ESTATE IN UPPER CANADA.

Hon. Mr. ALLAN introduced a Bill to amend the Acts respecting Real Estate in Upper Canada, which was read a first time.

TAVERN LICENSES.

The BILL to amend the Act respecting the Shop and Tavern Licenses in Upper Canada, was read a third time, and passed.

PILOTS BELOW QUEBEC.

On motion of Sir E. P. TACHE, the House went into Committee of the whole, on the consideration of the amendments made by the Select Committee, on the Bill to Incorporate the Pilots below Quebec.

Sir E. P. TACHE explained that some of the most experienced mariners in the country had been examined before the Committee, and many of the suggestions which they had made, the Committee had adopted. He mentioned the name of Captain Armstrong, especially. The Bill was required not only for the protection of Pilots, but also for the protection of Commerce, and was only opposed on selfish grounds. The hardships which the Pilots went through were terrible. In one year they had lost 33 men out of their number, which did not amount to more than 180. They had at present to go down a distance of 600 miles to the sea, to get a vessel to bring into port—owing to undue competition and want of organization. It was to remedy those evils by Incorporating the Pilots and allowing them to lay down by-laws for their own guidance, that the present Bill was framed.

Hon. Mr. CAMPBELL objected to that clause of the Bill which provided all the earnings of the Pilots were to form one aggregate sum, out of which all the Pilots were to be paid equally. The principle was a most pernicious one. It would not develop genius, but generate laziness.

Hon. Col. PRINCE said, that although lawyers would not like to bring all their earnings into *hotchpotch*, yet as the Pilots themselves had asked for the clause and as provision was made in the Bill to punish any one who shall shirk his duty, the principle should be conceded.

Sir E. P. TACHE pointed out that all the Pilots when incorporated would be under the supervision of the Trinity House, who would take care that each Pilot did his duty. If a Pilot neglected his duty, he could be mildly punished at first, and if that did not do, he could be dismissed.

Hon. Mr. FERRIER condemned the *hotchpotch* principle.

Hon. Mr. ALLAN did not think it a bad principle.

Sir E. P. TACHE drew attention to the fact that owing to the unnatural competition which at present existed amongst Pilot, ships were often left without Pilots and Pilots without ships.

The Pilots, in their anxiety to have a job going down to sea, far beyond the limits marked out by the Trinity House, and consequently missing the inward bound ships in the fogs which often existed down there; while the inward bound vessels on coming to the place where the Pilots ought to be and finding none, often ventured up the Gulf without a Pilot, and ran ashore, and were wrecked with dreadful loss of life.

Hon. Mr. LATERRIERE would give the testimonies of a large number of the most intelligent Pilots, and other parties competent to speak to the subject in favor of the incorporation sought for.

Hon. Mr. TESSIER said, that the Pilots would be as dependent for their remuneration upon the Trinity House as they were at present. The Board would still exercise the power of constructing a Tariff of rates and of judging of the conduct of the Pilots as formerly. They could bring them to account for any faults they might commit, and if necessary suspend them or take their branch away altogether. The Pilots, as was well known, were exposed to many dangers, and it had been said, with much truth, that but few of them died in their beds. During the last two years over 50 of them had found their graves under the waters of the St. Lawrence, and the same melancholly fact was true with regard to the profession elsewhere. One of the objects of the Bill was to enable the Pilots to provide themselves with vessels in which their lives would be safer than in the small boats in which too many of them were obliged to trust their lives. They also wanted to make by-laws for their own government—not inconsistent with the Trinity House rules. At present there was an unwholesome competition among them, promoted by crimps and persons of that class, who made it their business to provide Pilots for vessels at less than the Tariff prices. Of course none but Pilots of indifferent character would submit to such interference, and the consequence was that greater risk was incurred by this forestalling system. The Bill, if passed, would tend greatly to improve the respectability of the profession and by consequence would give greater security to life and property.

Hon. Mr. MORRIS asked if the masters of schooners would be obliged to take Pilots?

Hon. Sir E. P. TACHE—This was regulated by the Trinity Board, but small coasting vessels were not, he believed, required to take Pilots.

Hon. Mr. MORRIS—One of the arguments used was, that competition was too great, and this was the first time that he had heard that competition was not a desirable thing in business. Such emulations ought not to be checked by this House. The fact that all the mercantile class was opposed to the Bill, was sufficient in his mind to prevent its passage.

Hon. Sir E. P. TACHE denied that that was the case, on the contrary, he believed the majority of that class were in its favor.

Hon. Mr. MORRIS—Well, in London, the greatest shipping port in the world, there was no such coalition, and though there was some sort

of connection between the Pilots of Liverpool, but it did not destroy competition. He believed it would be injurious to the interests of trade.

Sir E. P. TACHE said that if his Hon. friend was opposed to the Bill, he should make a motion to that effect. All the Pilots were in favor of the Bill, and so far from the body of the Merchants being opposed to it, he knew the reverse was the case. The repeal of the New York Act was not due to any evil in the law itself, but because the Pilots of New Jersey and those of New York, were always quarrelling, and great trouble followed which could not otherwise be prevented.

Hon. Mr. SIMPSON thought the 4th clause should limit the remuneration to be paid to the officers of the Board.

Hon. Mr. VANKOUGHNET could not see how this could be done. The By-laws creating the Officers, and of course the remuneration attached thereto would have to be approved by the Trinity House, before it came in force, and the danger of exorbitant salaries would thereby be obviated.

In the 6th section of the 7th clause, the blank for the security to be given by the Secretary Treasurer was filled up with \$3,000.

Hon. Mr. FERRIER suggested that the 11th clause should be so amended as to make the Board elective every year.

By agreement the consideration of the 12th down to the 16th clause was postponed. Also the 20th clause.

After reading down to the 27th clause, the Committee rose and reported progress, and asked leave to sit again to-morrow.

SPEAKERSHIP.

This Bill was returned from the Assembly, without amendments.

REPRESENTATION OF THE PEOPLE IN THE LEGISLATURE.

This Bill was also received from the Assembly read and ordered for a second reading to-morrow.

SINKING FUND.

This Bill was also read a first time and ordered for a second reading to-morrow.

SALE OF LIQUOR IN UNORGANIZED TRACTS.

This Bill was also read a first time and ordered for a second reading on Monday.

ST. GEORGE'S SOCIETY OF MONTREAL.

The Bill to Incorporate this Society was read a first time and ordered for a second reading to-morrow.

GRIMSBY CONCESSION LINE BILL,

Also read and put for a second reading to-morrow.

NEW HAMBURG VILLAGE BILL.

Also read, and ordered for a second reading to-morrow.

COMPTON HIGH SCHOOL BILL,

Returned from the Assembly with amendments. Consideration to-morrow.

JUDICIAL DISTRICT OF ALGONA.

The correspondence on this subject was laid on the table, and placed on the order of the day for to-morrow.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, April 19.

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

RAILWAY INDEBTEDNESS.

Mr. BUCHANAN moved that the Petition of the Mayor and Corporation of Hamilton on the subject of Railway Indebtedness, as well as all other petitions on the same subject, be referred to a Select Committee.

A long discussion ensued, in which Hon. J. S. MACDONALD, Hon. Mr. FOLEY and others opposed the motion on the ground that the House ought not to commit itself to relieve Municipalities involved in distress, consequent on reckless Railroad speculations. They contended also that it would be contrary to the principle of Responsible Government, by relieving the Finance Minister to a certain extent from the responsibility of acting in such cases.

It was contended on the other hand by the Hon. ATTY. GEN. WEST, Hon. FINANCE MINISTER and others, that in granting an investigation by a Select Committee, neither the House nor the Government would be pledged to any certain course of action. The House had the right to institute an investigation in any claims either of individuals or Corporations.

At the suggestion of the FINANCE MINISTER Mr. BUCHANAN ultimately asked leave to withdraw the motion in the hands of Mr. SPEAKER, and to substitute one of a more general character. Leave having been granted, Mr. Buchanan moved that the subject of the Financial position and embarrassment of the several Municipalities be referred to a Special Committee of nine members to report thereon, with power to send for persons, papers and records.

The House divided on the motion, which was carried—Yeas, 71; Nays, 21.

YEAS:—Messrs. Abbott, Archambeault, Beau-bien, Bell, Buchanan, Burwell, John Cameron, Malcolm Cameron, Campbell, Carling, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Clark, Connor, Coutlée, Daly, Dawson, Dionne, Dorion, Drummond, Dufresne, Dunkin, Ferres, Finlayson, Foster, Fournier, Galt, Gaudet, Harcourt, Harwood, Heath, Hébert, Holmes, Jobin, Labelle, Laframboise, Langevin, Laporte, Macbeth, Attorney General Macdonald, McDougall, Meagher, Merritt, Solicitor General Morin, Munro, Notman, Panet, Papineau, Patrick, Playfair, Pope, Price, Robinson, Rose, James Ross, Rymal, Richard W. Scott, William Scott, Sherwood, Sicotte, Simpson, Sommerville, Starnes, Tett, Turcotte, Webb, White, Whitney,—71.

NAYS:—Messrs. Aikens, Biggar, Cook, Désaulniers, Dorland, Ferguson, Foley, Fortier, Gould, Lemieux, Loux, Donald A. Macdonald, John S. Macdonald, McCann, McMicken, Mowat, Short, Stirton, Thibaudeau, Wilson, Wright.—21.

The House then named the Committee as follows:—Messrs. Buchanan, Dorion, Sicotte, M. Cameron, White, Chapais, Sherwood, Langevin and McDougall.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to enable Alexander Ross, Aeneas Macdonell and others to execute certain conveyances notwithstanding inability.—Hon. J. S. Macdonald.

BILL to amend Acts relating to the civil erection of Parishes, &c., in Lower Canada.—Mr. Laberge.

BILL to Incorporate the Village of Terrebonne as a Town.—Hon. Mr. Morin.

BILL respecting the Administration of property of minors, and persons incapable of managing their own property.—Mr. Bureau.

BILL (from Council) to provide for the more general adoption of vaccination.—Mr. J. B. Robinson.

BILL to amend Vic. 11, chap. 68, Consolidated Statutes, to Incorporate the Montreal Mining Company.—Mr. Abbott.

BILL to separate some Townships from Chicoutimi, and annex them to La Terrière for Municipal purposes.—Mr. Price.

CONSTITUTIONAL RELATIONS OF UPPER AND LOWER CANADA.

On the first order of the day being called, for the consideration of the Hon. Mr. BROWN'S proposed motion on the subject of the Constitutional Relations of Upper and Lower Canada,

Hon. J. S. MACDONALD said, that owing to the indisposition of the Hon. member for Toronto the matter could not come up. He (Mr. Macdonald) was particularly anxious to be present when the motion was discussed, but private business would compel him to be absent for several days. He therefore hoped the House would postpone the discussion until the 7th ult.

Hon. Mr. DORION thought the Hon. member for Toronto would much object to such a long delay.

Hon. Mr. McDUGALL moved that the consideration be the first order of the day on the 23rd inst.

Hon. J. S. McDONALD moved in amendment that it be the first order of the day, on the 7th ult.

The amendment was lost on a division, and the motion of Mr. McDougall carried.

REPRESENTATION OF THE PEOPLE.

On motion of Hon. Mr. FOLEY, the Bill respecting the Representation of the People in the Legislative Assembly, was read a third time and passed.

HOMESTEAD BILL.

On the Order being called for the House to go into Committee on the Bill to Exempt Homesteads and certain other property, under certain value, from sale under execution.

Hon. Mr. THIBEAudeau moved "that the House do not now go into Committee, but that the said Bill be referred to a Committee of the Whole, this day six months."

Mr. McKELLAR was in favor of the Homestead Bill, but thought it should not be retroactive.

Hon. Mr. DRUMMOND said, this Bill would seriously affect the interests of Lower Canada by attracting all the Immigrants to Upper Canada, where every man could hold £200 worth of Real Estate in defiance of his creditors. Even the *habitants* of Lower Canada would desert their country with such a temptation. If this Bill passed, he should feel obliged, though opposed to the measure in principle, to introduce a similar Bill for Lower Canada.

Hon. Attorney General MACDONALD understood the Hon. gentleman to oppose the Bill because it would render Upper Canada too popular. He hoped he would lose no time in repudiating such sentiments, for they were certainly not the sentiments of other Hon. members from Lower Canada, who were not in the habit of opposing Bills because they were to add to the prosperity of Upper Canada. The relations between Upper and Lower Canada were so intimate, that it was impossible to pass any Bill affecting the one that did not affect the other. If a measure regarding the trade, or Commerce, or Agriculture, or any of the material interests of the country was good for Upper Canada, it was also good for Lower Canada, and if it was bad for one section, it would inevitably redouble the prejudice of the other section. (Hear, hear.) That was the salvation of the country; that was the all sufficient answer to the resolutions touching the Dissolution of the Union which all were so anxious to hear discussed. (Hear, hear.) We were one people; one in necessity, one in business, one in trade, one in prosperity, and one in our prospects of the future. (Hear, hear.) This fact would show, when the question arose, how wicked and infamous was the attempt to separate what nature had joined together. (Hear, hear, and laughter.) Hon. gentlemen opposite might laugh, but it was because they had played with the question until they had become familiarized with it, but none trembled more than they did at the mere idea of those resolutions being successful. He would not then discuss the principle of this Bill, but he could shew to the satisfaction of every Hon. member that it would not work at all. It was faulty in every clause. If a Property Exemption Bill was needed, it must be of a different nature altogether. He would suggest that the consideration of the Bill be postponed for a week or so, to give opportunities to examine it in detail. He was, however, opposed to it in principle, but he was also opposed to having persons turned out of doors and deprived of everything they possessed. He thought the property now exempted was insufficient. A larger exemption should be granted by the Division than by the Superior Courts, but at present it was just the reverse.

Hon. Mr. FOLEY hoped the members from Upper Canada would not be deterred from voting in favor of a Bill which was so much approved by the people of that section of the country. He saw no reason why the progress of the Bill should be stopped, in order to give time to the Hon. Atty. General West to pre-

pare amendments, if the principle were good.

Hon. Atty. General MACDONALD—I do not approve of the principle.

Hon. Mr. FOLEY—The Hon. gentleman had intimated his intention to submit amendments if the further progress of the Bill were delayed. That being so, why could not the Hon. gentleman submit his amendment at once.

Hon. Mr. DRUMMOND said that he had been misunderstood by the Hon. Attorney General. He did not say he should oppose the Bill, because it would make Upper Canada prosperous, but because it was contrary to just an equitable principles, and because its adoption might lead him to depart from the ordinary rules of legislation, and, for the protection of that part of the country to which he belonged, vote for a similar Bill for Lower Canada.

Mr. DALY said those great opponents of public opinion, the Newspapers, had expressed themselves most favourable to this measure. They had not only printed the Bill in full, but had taken the trouble to give their reasons for supporting it. The Hon. gentlemen who opposed the Bill had evidently not read it. It was not designed to enable people to defraud their creditors. No one could take advantage of the Bill without giving ample notice, and provision was made that it should not apply to debts already contracted. He contended that the principle of the Bill was good. Thousands upon thousands of persons had been driven from their homes, and from the country, because they could not pay their debts when required. Was this right? What benefit was it to any one, or to the community to deprive a man of the means of earning a livelihood, and of paying their debts? None whatever. He was satisfied that, in the absence of a measure of this kind, the country was deprived of the benefit of a large influx of emigration. Observing that the House was somewhat thin, and that an ample opportunity might be given for the maturing of amendments, he would move in amendment to the amendment that the order be postponed until Thursday.

Hon. Mr. CAMERON said he was satisfied that those who were the most interested in the credit system, the merchants, were in favour of the Bill. The whole effect of the measure would be beneficial. Some fourteen or fifteen years ago, he had introduced a similar Bill to this, but only received some eight or ten votes. The feeling in its favor had, however, been increasing year by year, until now it was felt by a majority of the people to be an absolute necessity.

Mr. JOHN CAMERON said there was not a measure now before Parliament which the people more denied to see passed than this Homestead Bill.

Hon. Mr. THIBAudeau said he had no doubt the effect of the Bill would be to inflict great injustice upon Lower Canada.

Mr. TURCOTTE said he was surprised to hear such an opinion from his Hon. friend, because he knew that such a law existed in Lower Canada, and had operated beneficially. If this

Bill could be worked, most certainly he would vote for it. Nothing was more humiliating or degrading to a Christian country, than to see a whole family turned out of a home, and deprived of all means of retrieving their position. He thought, if the right of suing under a certain amount was abolished, it would also be a good thing.

Hon. Mr. CAUCHON said the Bill would afford no protection to the persons sought to be protected, inasmuch as those who would otherwise advance him money or goods, would no longer do so.

Mr. DUNKIN urged the same view. Nothing more should be reserved to the debtor, than what absolute charity demanded.

Mr. A. P. MACDONALD said the time was coming when Lower Canada would see the necessity of having a measure of this kind. The release of the property of Lower Canada from the Seigniorial Tenure, would have the effect of making the people feel that, without a Homestead law, they would have no protection for themselves. The honest man was entitled to his home, and the honest man would never find any difficulty in obtaining all the credit he required.

Mr. WILSON thought a \$1,000 exemption was too much. \$400 would be sufficient.

The motion for the adjournment of the debate was put and carried.

The House then adjourned at a quarter to twelve o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, April 20, 1860.

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

CONSOLIDATION OF COUNTY MIDDLESEX DEBT.

The Bill to Consolidate the debt of the County of Middlesex was reported from Committee, and read a third time.

APPOINTMENT OF CONSTABLES.

The Bill to amend the 17th cap. of the Consolidated Statutes of Upper Canada, regarding the appointment of Constables, was reported from Committee without amendment, and read a third time.

BROWN-DORION GOVERNMENT.

Hon. Mr. FERGUSSON enquired of Ministers, firstly: whether Mr. Brown, when called upon to form an Administration, was informed by the Governor General that no dissolution of Parliament would be allowed. Yea or Nay?

Hon. Mr. VANKOUGHNET—I don't know.

Hon. Mr. FERGUSSON would enquire, secondly: did the members of the present Administration seriously contemplate discharging the duties of the particular office for which each was sworn in by the Governor General, duly to perform, and without appearing before the respective Constituencies who had elected them M. P. P.?

Hon. Mr. VANKOUGHNET—Proceed with the next matter, Mr. Speaker.

The next Order of the Day was called.

Hon. Mr. FERGUSSON—The Hon. gentleman has not answered my last question.

Hon. Mr. VANKOUGHNET—(From his seat)—You have received all the answer you will have from me. Call the next Order, Mr. Speaker.

PAYMENT OF WITNESSES.

Hon. Col. PRINCE enquired, whether it is the intention of the Ministry to introduce a Bill for the payment of Witnesses, subpoenaed to attend in Courts of Law, to give evidence on the part of the Crown, in Criminal prosecutions.

Hon. Mr. VANKOUGHNET replied that it was not the intention of the Government to introduce such a measure this session.

ILLEGAL MUNICIPAL DEBENTURES.

Hon. Mr. MASSON enquired, whether it is the intention of the Ministry to adopt effectual measures for discharging the Parishes in the County of Terrebonne, which subscribed for Stooock in the Montreal and Bytown Railway Company, from the obligation of meeting the Municipal Debentures which were illegally issued by the Mayor of the County, and which were subsequently exchanged for Provincial Debentures?—What those measures will be?—and when they will be adopted?

Hon. Mr. VANKOUGHNET replied that no application on the subject had been made to the Government, and consequently, the Government was not disposed to accede to the wish of the enquiry. If application was made, that would alter the case.

ELECTORAL DIVISIONS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill (from the Legislative Assembly) respecting the Representation in the Assembly. The Bill, the Hon. gentleman explained, affected the Assembly only where it had been fully debated and approved of. Its object was to divide the Cities of Quebec, Montreal and Toronto, into separate Electoral Divisions for returning members of Parliament.

The Bill was read a second time, and referred to a Committee of the Whole—Hon. Mr. Moore in the Chair. On being reported without amendment, the third reading was carried on a division of 27 to 7.

PILOTS BELOW QUEBEC.

On motion of Sir E. P. TACHE, the House went into Committee of the Whole on the further consideration of the amendments to the Bill to incorporate the Pilots below Quebec—Hon. Mr. Leslie in the Chair.

The Bill as amended, was reported and ordered to be read a third time on Monday.

SINKING FUND.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill relating to the Sinking Fund for the redemption of the Imperial Guarantee Loan.

The Bill was read a second time.

INTOXICATING LIQUORS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill (from the Assembly) to prevent the Sale of Intoxicating Liquors in unorganized tracts of the country.

The Bill was read a second time and referred to a Committee of the Whole. Hon. Mr. Gordon in the chair.

The Bill was reported without amendment, and ordered to be read a third time on Monday.

TOWN OF LINDSAY.

Hon. Mr. SIMPSON moved the second reading of the Bill to amend the Act incorporating the Town of Lindsay.

The Bill was read a third time and referred to a Special Committee.

APOTHECARIES.

Sir. E. P. TACHE moved the second reading of the Bill to provide that Apothecaries and Druggists should have received an adequate education before practising. And also to regulate the sale of poison.

The Bill was read a second time and referred to a Special Committee composed of Hon. Messrs. *Latierrier, Dr. Smith, Patton, Tessier,* and the mover.

PAPER MANUFACTORY.

Hon. Mr. ALLAN moved the second reading of the Bill to extend Letter Patent of the Province, to W. E. Newton for separating the fibres of wood and other materials for the manufacture of paper, and also for the making of it from flax. The invention was a most valuable one, and would initiate a new branch of industry in the Province.

Hon. Mr. VANKOUGHNET opposed the Bill on the ground that special legislation was a vicious precedent. The Bill would have the effect of debarring all the people of Canada from using the invention without applying to the inventor, who was not even a resident in the country, but a resident of New York. And, if this Bill were allowed, there would be fifty similar applications next year, which, if this one were granted, could not be well refused. This legislating for individuals could not be too severely repudiated.

The sense of the House being in favour of the Bill, it was read a second time, and referred to a Special Committee, composed of the Hon. Messrs. *Patton, Christie, Campbell, McDonald Moore, Morris,* and the mover

NOTORIAL DEEDS.

Hon. Mr. PANET, of the Bill to prevent the abuses in the execution of Deeds by Notaries, by providing that the Notaries should, in future, be present at the execution of a Deed by an illiterate person, or else the attendance of two witnesses.

The Bill was read a second time and referred to a Special Committee.

PROTECTION OF GAME.

Hon. Col. PRINCE moved the adoption of the amendments to the Bill for the Protection of Game in Upper Canada.

The amendments were concurred in, and the Bill read a third time.

GRIMSBY CONCESSION LINE.

Hon. Mr. SEYMOUR moved the second reading of the Bill to provide for Concession Lines in the Township of Grimsby.

The Bill was read a second time and referred to a Special Committee.

NEW HAMBURGH VILLAGE INCORPORATION.

Hon. Mr. ALEXANDER moved the second reading of the Bill to incorporate New Hamburg Village.

The Bill was read a second time and referred to a Special Committee.

ST. GEORGE'S SOCIETY, MONTREAL.

Hon. Mr. FERRIER moved the second reading of the Montreal St. George's Society Bill.

The Bill was read a second time and referred to a Special Committee.

BILLS FROM THE ASSEMBLY READ A FIRST TIME.

The following Bills were introduced from the Legislative Assembly, and read a first time :—
To Consolidate the Debt of the Town of Bowmanville.

To authorize the Churchwardens of St. George's Church, Guelph, to sell certain property.

To amend Cap. 2 of the Consolidated Statutes of Canada, respecting the Representation of the People in the Legislative Assembly.

To Incorporate the College of Three Rivers.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, April 20, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to disqualify sheriffs and clerks of Division Courts, from being members of the Municipal Councils of Upper Canada.—Mr. *Gowan.*

BILL to amend the Act for the construction of Water works in the City of Hamilton.—Mr. *Buchanan.*

BILL to enable Counties and Townships Councils of Upper Canada to take tolls of bridges under their control, without being subject to the provision under the Joint Stock Roads Companies Act.—Mr. *A. P. Macdonald.*

BILL to further amend the Act providing for the formation of Joint Stock Companies for supplying cities, towns, and villages, with Gas and water.—Mr. *Carling.*

BILL to amend the Act relating to the civil erection of Parishes in Lower Canada.—Mr. *LeBoutillier.*

BILL to annex that part of the Parish of St-Joseph, Point Levis, heretofore forming part of the county of Bellechasse, for electoral purposes, to the County Levis, for registration purposes.—Hon. Mr. *Lemieux*.

BILL to protect timber in the forests of Lower Canada.—Hon. Mr. *Cartier*.

BILLS READ A THIRD TIME AND PASSED.

BILL to amend an Act respecting Barristers at law.—Hon. *J. A. Macdonald*.

BILL to amend an act respecting Attornies at Law.—Hon. *J. A. Macdonald*.

BILL to amend an Act respecting the Law Society of Upper Canada.—Hon. *J. A. Macdonald*.

BILL to regulate the removal of causes from County Courts.—Hon. *J. A. Macdonald*.

BANK OF ISSUE.

In reply to a question from Mr. Benjamin, the Hon. FINANCE MINISTER informed the House that it was the intention of the Government on Tuesday next to ask the House to consider the resolutions on the subject of a Bank of Issue, upon which resolutions, if adopted, they would then introduce a bill. But not wishing to act hastily upon a matter of such great importance, they would not press the Bill to a final passage during the present Session, but would afford the country an opportunity of giving the subject a full consideration, by the general distribution of the Bill in a printed form.

Hon. Mr. BROWN said the Hon. Minister of Finance had found the opinion of the House, and of the country, to be adverse to his scheme, and took this means of shirking the question.

COMMITTEE ON SUPPLY.

Hon. Mr. FINANCE MINISTER moved the House in Committee of Supply.

Hon. Mr. BROWN proceeded to reply to the speech delivered by the Hon. Minister of Finance on the delivery of the Budget. He denied the statement regarding the prosperous condition of the country, and thought we were in an infinitely worse position than we had been last year. (The Hon. gentleman was entering into a detailed explanation when he declared himself unable, owing to indisposition, to proceed with his argument until a future day.)

Hon. FINANCE MINISTER said he should be most happy to give the Hon. member for Toronto his attention on a future occasion. He should expect him to explain why the country was in an "infinitely worse position" this year than last, but under the circumstances, of course, would not press the question.

Various items were then passed.

On the item of Water Police, Hon. Mr. BROWN argued that the sum appropriated for this purpose should be paid by the cities of Quebec and Montreal, and made a motion to that effect, which having been put was declared lost by the chairman, Mr. *Brown* himself assenting.

The item was then adopted.

On the appropriations for the Penitentiary, Reformatories and Prison Inspections, Hon. Mr. Brown objected to the appointment of two Inspectors from Lower Canada, and none from Upper Canada, and said that it was reported a gentleman in England had been promised the place of Chairman of the Board of Inspectors, that he came out for the purpose, waited some time, and on applying to the Government was refused, on the ground that it would interfere with the Montreal election. Was this true? If it was denied, he (Hon. Mr. Brown) was ready to prove it.

After a pause, Hon. Mr. SICOTTE rose and said, he was then a member of the Government, and the report was not true.

Hon. Mr. BROWN repeated the statement and Hon. Mr. Cartier denied that any such refusal had been made on any such grounds.

Hon. Mr. SICOTTE again stood up and said, he knew the facts, and there was no truth in the allegations at all, at all, at all. The gentleman in question, had no such promise from the Governor General or the Attorney General, as was stated, and he went about abusing every member in the Cabinet, saying many things he should not.

Mr. McGEE remarked, that certain charges had been preferred against the Warden of the Reformatory at Isle aux Noix, and he wished to know what the Government intended to do in reference to them?

Hon. Atty. Gen. MACDONALD said, the matter was engaging the attention of the Government. The Warden was not a young man, and he was a man who had held various situations in Upper Canada, with credit to himself and to the satisfaction of the public. The Government had been accused of shielding him, because he was a political friend. Such was not the fact. The gentleman referred to, had always been connected with the opposite party to himself (the Attorney General).

Hon. Mr. DORION asked if the Warden had been suspended pending the inquiry?

Hon. Atty. Gen. MACDONALD replied in the negative. The charge was one which required the Government either absolutely to dismiss him or to retain him.

Mr. ROBLIN said it was a monstrous doctrine that officers should be suspended immediately, when charges were preferred against them. Why, if it once obtained, 99 out of every hundred would be continually under suspension.

Hon. Mr. DRUMMOND said he was not aware what were the particular charges preferred against the Warden of Isle-aux-Noix. He was a man who had held a very high character, and it was due to him that there should be no more delay in the investigation than was unavoidable.

The item was then adopted.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, April 20, 1860.

COMMITTEE ON SUPPLY.

(Concluded from our last No.)

The item of \$4,444 to Upper Canada College, Toronto, was struck out, and \$5,000 each given to Victoria College, Cobourg, and Queen's College, Kingston, instead of \$3,000 each as heretofore; and \$4,000 was voted to Grammar School Fund, Upper Canada, instead of \$3,155, as heretofore. By a transposition of the figures the Lying-in-Hospital of *les Sœurs de la Miséricorde* had an allowance of \$1000, and the Deaf and Dumb Institution \$6000, but upon the representation of the Minister of Finance they were reversed.

On the item of \$500 for the Montreal General Hospital, M. FERRES strongly expressed an opinion that this amount was very disproportionate to the benefits the Institution bestowed on the sick and suffering.

Hon. Mr. BROWN said, Montreal received full one-fourth of the sum devoted to charities, and should be satisfied.

Hon. Mr. GALT admitted the great usefulness of the Hospital in question, but Montreal had a fair share of the whole sum, and it was not expedient at present to increase the grant.

Hon. Mr. DORION said the public grants did not cover more than one-eighth of the expenses of this Institution, and its charities were administered without respect to persons.

Hon. Mr. GALT said the efficiency of the Institution was undoubted, but justice to other charitable Associations would not allow an increased grant.

The item was adopted.

On the items for the Lunatic Asylums at Mal-den

Hon. Mr. BROWN objected to the purchase of the property for this Institution without the consent of Parliament, and desired to have all the particulars of the extent of the land and the nature of the buildings thereon.

Hon. J. A. McDONALD answered, showing that the necessities of the Lunatics absolutely required an increased accommodation, and that it was purchased for the purpose of saving expense, after Dr. Workman had thoroughly examined the property, and reported upon its fitness.

Mr. JOHN CAMERON said the property was sold for much less than its value, as it consisted of $5\frac{1}{2}$ acres of ground, with a large Brick Building, $4\frac{1}{2}$ stories high, 115 feet in length, and 60 in breadth, erected thereon, which was originally built for an hotel by a company who could not finish it. He was one of the Stockholders, and if the transaction had put money in his pocket, he now learnt it for the first time, but the fact was that the property was sacrificed. After some further debate, in the course of which Hon. Mr. Brown expressed his belief that it was a great job, the items were passed.

On the appropriations for the Militia Hon. Mr. BROWN expressed a desire of discussing them thoroughly, and suggested that they should be passed over, which was agreed to.

The two items for Arts, Agriculture and Statistics were then considered, and Hon. Mr. GALT gave the reasons for putting down \$20,000 for a General Provincial Exhibition in Montreal, at the time of the expected visit of the Prince of Wales, the chief of which was that the inauguration of the Victoria Bridge would attract an immense concourse of people to Montreal, from all parts of the Province, the United States and other countries.

Mr. WILSON asked if \$20,000 was to be given to Montreal, what sum it was proposed to give to Toronto, where a much better exhibition could be had?

Mr. McDOUGALL was surprised at the simplicity of the member for North York, in supposing that Toronto ought to have an appropriation as well as Montreal.

Hon. Mr. GALT said Montreal being the chief seat of manufactures, it was of course, the most fitting place to hold a General Exhibition.

Mr. McDUGALL should object to this item being passed, unless a similar sum was given to other parts of the Province, either for the like purpose, or the purpose of making a display,

Hon. J. S. MACDONALD was sorry to see this spirit of sectionalism introduced on such an occasion. This was the cause of all the difficulties in the working of the Union. It was very discreditable. It was desirable to have a grand National Exhibition, and this could not be had if money was to be voted indiscriminately to every City.

Hon. BROWN said Toronto and Kingston had erected Exhibition Buildings at their own cost, and Hamilton was now engaged in erecting such a Building. He did not see, then, why the Province should pay the expense of the Building at Montreal.

Hon. Mr. GALT said the principle object of this appropriation was to defray the cost of bringing articles to the Exhibition.

Hon. Mr. BROWN said such a sum for such a purpose was totally insignificant. To do the thing properly they ought to appropriate at least £20,000, and place the management of the Committee in the hands of the House.

Mr. ROBINSON said when the proper time arrived, he should move an amendment to give \$20,000 to Upper Canada, and for a like purpose.

Mr. JOHN CAMERON said he hoped the Government would take care that the tour of His Royal Highness was not confined to the Cities alone. The back woods teemed with interest, and a visit to them would give him the best idea of Canada and Canadian life. Should His Royal Highness penetrate to the County of Victoria, he would be received with a loyalty and enthusiasm not second to that accorded to him in any other County, City or Town in the Province. Amongst the many attractions, a Stag Hunt could be got up, such as perhaps, could not be had in any other part of the world. (Hear, hear.)

The item was carried.

The Committee rose and reported progress, and asked to sit again on Tuesday.

The House then, at 11 30, adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Monday, April 23, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

THIRD READINGS.

To provide a Sinking Fund for the Imperial Guarantee Loan.

To prevent the sale of Intoxicating Liquors in unorganized tracts.

To Incorporate the Pilots below Quebec.

At half-past three o'clock, His Excellency, the Governor General, ascended the Throne, and gave the Royal assent to the following Bills:—

An Act to amend the Act respecting the Representation of the People in the Legislative Assembly.

An Act to provide for the election of the Speaker of the Legislative Council.

An Act to grant additional aid to the Canadian Line of Steamers, and for the extension of the Line of Telegraph to Belle-Isle.

An Act to remove doubts as to the validity of Marriages solemnized in Lower Canada by the Religious Society of Friends commonly called Quakers, and for other purposes.

An Act to divide the Township of Windsor, in the County of Richmond, into two distinct Municipalities.

An Act to establish a Standard Weight for Hay and Straw.

An Act to Incorporate the Art Association of Montreal.

An Act to Incorporate the Compton High School.

An Act respecting the sale and management of the Public Lands.

An Act to Consolidate the Debt of the County of Middlesex.

An Act to amend the Chapter Seventeen of the Consolidated Statutes for Upper Canada, as regards the appointment of Constables.

An Act relating to the Sinking Fund for the redemption of the Imperial Guaranteed Loan.

An Act to prevent the unlicensed sale of Intoxicating Liquors in the Unorganized Tracts in this Province.

At four o'clock the House resumed.

SEIZURE FOR DEBT.

Hon. Mr. CAMPBELL introduced a Bill to exempt certain articles from seizure in actions for Debt.

The Bill was read a first time, and ordered to be read a second time on Tuesday.

COMMON SCHOOL ACT.

Hon. Mr. ALLAN introduced a Bill to amend the 16th sub-section of the 27th section of the Common School Act of Upper Canada, as printed in the Consolidated Statutes.

The Bill was read a first time, and ordered for a second reading on Thursday.

BOUNDARY COMMISSIONERS.

Hon. Mr. VANKOUGHNET introduced a Bill to authorize the establishment of a Board of Boundary Commissioners in Upper Canada.

The Bill was read a first time and ordered to be read a second time on Thursday.

PORTS OF ENTRY.

Hon. Mr. ALEXANDER moved that an humble Address be presented to His Excellency the Governor General, praying His Excellency to cause to be laid before this House,

1st. A list of the Ports of Entry which have been done away with since the 1st of January, 1859.

2nd. A list of those Ports still existing where, according to the last Official Returns, the Revenue collected has been found insufficient to cover the expenditure of the office.

Hon. Mr. VANKOUGHNET would not oppose the motion, but said the desired information could be got out of the Public Accounts, laid

before the House. The motion would cause a great deal of trouble to the Departments, which were at present over-tasked. He concurred in the spirit of the motion, which was, that the fewer servants the Government had the better. The distribution of patronage was never a pleasing task to the Government. There were so many applications for vacant offices that the death of an officer, whose office would have to be filled up, was as much a cause of sorrow to the Government as to the relatives of the deceased. The Government were about abolishing some of the Ports already established—but due care should be taken to keep up such establishments as would be necessary to keep down smuggling. The system of Inland Ports, he might remark, which had been adopted here, was about being adopted in England.

Hon. Mr. ALEXANDER on the assurance given by the Hon. Commissioner of Crown Lands, would withdraw his motion.

COURT OF CHANCERY.

Hon. Mr. CAMPBELL wished to ask the Government for information respecting certain returns moved for some time ago, with reference to the Court of Chancery?

Hon. Mr. VANKOUGHNET replied that the Court of Chancery had been applied to for the desired information—but that Court with its accustomed alacrity had not yet sent them in.

INDIAN LANDS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to provide for the management of Indian Lands. The object of the Bill was to transfer specially the management of the Indian Lands from the Imperial Government to the Colonial Government. The reason for the change was a despatch received from the Home Government some time ago, announcing that after the present year, no sum would be put into the Estimates for the purpose of providing for the well-being of the Indians of this Continent. The Home Government thought that Canada was in a position to take care of the Indians herself,—and that she could do without Imperial interference in that as in all other matters. (Hear, hear.) He was happy to say that the management of the Indian Lands would not throw any great burthen on the Province. At farthest it would only require some \$3,000 or \$4,000 additional this year; and next year he hoped that the new Department would be self-sustaining. Under the new management he was sure the wants of the Indians would be as well looked after, as under the old, and he gave the House every assurance that nothing would be left undone to ameliorate the condition of that unhappy race—and at the same time to take such measures as would be for the good of the country. In reply to the Hon. Mr. Moore, he begged to state that the Imperial Government would pay existing pensions, and make the usual presents to the Indians this year, which, however, did not amount to more than the value of £400. He could not say whether the Colonial Government intended to keep up those presents—but as the

sum which they cost was so small, he thought the Department might be able to bear that expense. Care would also be taken to prevent the disgraceful trafficking which occurred with white traders, at the annual occasions of bestowing those presents. With regard to the Secretary of His Excellency, who was sometimes styled the Chief Superintendent of Indian Affairs, he begged to state that the Governor General was the Head of that Department, as the representative of the Imperial Government; and that, under the new management—he (Mr. Vankoughnet) would assume that office. There was no salary attached to it. He thought that the Crown Lands and the Indian Lands could be worked very well without a double set of employees.

The Bill was read a second time, and ordered to be committed to the Whole House on to-morrow.

ASSESSMENT LAW.

Hon. Mr. ALLAN moved the second reading of the Assessment Law amendment Act. The object of the Bill was to include the Toronto Horticultural Society among those societies exempted from assessment.

The Bill was read a second time.

DOWER.

Hon. Mr. CAMPBELL moved the House into Committee of the Whole, to consider the amendment made to the Dower Assignment Bill.

On the House going into Committee,

Hon. Mr. PATTON moved an amendment to the effect—that the wife should receive her Dower out of the value of the land as it was when the husband bought it, and not as it stood when Dower was claimed.

The amendment was lost on a division.

RAILWAY ACT.

Hon. Mr. ALEXANDER moved the second reading of the Railway Amendment Act. The object of the Bill was to authorize Railroad Companies to organize a body of Police to guard their property, and also to impose fines on offenders.

The Bill was read a second time, and referred to a Select Committee.

BILLS FROM THE ASSEMBLY.

The following Bills from the Legislative Assembly were read a second time:

BILL.—Representation Consolidated Statute amendment.—Honorable Mr. Christie.

BILL.—*Guelph, St. George's Church site sale.*—Honorable Mr. de Blaquièrre.

BILL.—*Boismenville Town Debt Consolidation.*—Honorable Mr. Morris.

BILL.—To Incorporate St. George's Society, Montreal.—Honorable Mr. Ferrier.

ALMA ELECTION.

Hon. Mr. MOORE presented the report of the Alma contested Election Committee, in favor of the sitting member, Hon. Mr. Armand. The report was adopted.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 23, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend the Act relating to Fisheries.—Mr. *Cimon*.

BILL to amend Act relating to the registering of *notarial articles*, by students at law.—Mr. *Ouimet*.

BILL to amend the Act relating to roads outside the limits of the City of Quebec.—Hon. Mr. *Cauchon*.

BILL (from Legislative Council) to provide for the election of officers of the Missisquoi Agricultural Society.—Mr. *Whitney*.

HOUSE SUMMONED BY HIS EXCELLENCY.

The Usher of the Black Rod appeared at the Bar, and in the name of His Excellency the Governor General, summoned the House to appear in the Legislative Council Chamber to hear the Royal assent given to a number of Bills.

Mr. Speaker and the other members accordingly proceeded to the Legislative Council Chamber. On their return the ordinary business was resumed.

QUEBEC ELECTION.

Hon. Atty. Gen. CARTIER moved that Mr. Speaker do issue writs for the election of three members from the City of Quebec.

The motion was carried.

HON. MR. BROWN'S RESOLUTIONS.

Hon. Atty. Gen. CARTIER moved that the notices of motions be passed over and the orders of the day proceeded with.

Hon. Mr. BROWN objected, contending that the notices of motions ought to be disposed of first.

Hon. Mr. FOLEY moved that the first order of the day be discharged, and made the first order for Monday next.

Mr. SPEAKER declared the motion out of order unless the previous motion were withdrawn.

Hon. Atty. Gen. CARTIER asked leave to withdraw his motion, but Hon. Mr. Foley objected.

Hon. Mr. BROWN accused the Hon. member for Waterloo of having brought up his motions by private agreement with Hon. gentlemen opposite.

Hon. Atty. Gen. CARTIER denied that there were any grounds for such suspicion.

Hon. Mr. BROWN expressed himself satisfied with the denial.

Hon. Mr. FOLEY said, he felt it entirely beneath him to answer the insinuation of the Hon. member for Toronto that he had had communication with the gentleman opposite. He had never so much as suspected that the Hon. Atty. General would produce the motion he did. But the Hon. member for Toronto expected to make a little paltry, temporary capital out of the affair

—(hear, hear,) and so without the slightest reason, brought this unjust accusation against a gentleman beside him and who had never failed to support any motion approved by his side of the House, and calculated to benefit the people of Upper Canada. The intimation was most unjust, and unfounded, and in character with many other suspicions the Hon. gentleman had at various times expressed. (Hear, hear.)

Hon. Mr. BROWN said :—The Hon. gentleman shall not succeed in ruffling my temper. His conduct and my conduct are before the country, and will be fairly judged. But it is not at all becoming that such scenes should take place in this House. Sir, the Hon. gentleman has spoken of sitting beside me, and supporting me, but I think he has shown by his conduct to-day the nature of his support. In the first place, knowing that the resolutions I am about to bring up cannot possibly be brought to an issue during the present Session if thrown over this week, he still insists that they shall be put off. His motion would certainly prevent us from obtaining the divisions we desire upon those resolutions. Then the Hon. gentleman says he will vote for the motion from the Treasury benches, which will defeat and destroy every motion in opposition to the Administration that can possibly be brought up this week. He will not even allow that motion to be withdrawn. Yet he claims to be my friend and hopes I will not use any harsh language, or make any imputations. Sir, I have imputed nothing to him. The Hon. gentleman fancies I did not really suspect him. I tell him I did suspect him, and with reason, but I was satisfied with the denial of the Hon. Atty. Gen. East. There are books and papers I shall need for references which I have not at present, and I shall not be prepared to go on with the debate until half-past seven. Then, I think it unfair that all the motions on the paper should be put off from day to day. I see the Government is afraid of some of those motions, but I appeal to the Hon. gentlemen opposite not to insist upon that motion.

Hon. Mr. CARTIER had been under the impression that it was the general wish to proceed with the debate, but since the Hon. member for Toronto was desirous of having the notices of motions read, he thought the Hon. member for Waterloo ought not to object to the withdrawal of his motion.

Hon. Mr. FOLEY said, the notices of motions had stood a long time; many of them from the beginning of the Session, and there had been many opportunities for discussing them. With what propriety, then, did the Hon. member for Toronto accuse him of assisting Hon. members opposite in postponing these questions? Eight of his (Mr. Brown's) motions had been on the paper since March, and he had many opportunities of discussing them, but had let them pass. But such insinuations, though entirely unfounded, were customary with the Hon. member for Toronto when he had any particular object to attain.

Hon. Mr. BROWN said, there was not a particle of truth in the statement, that he had let his notices of motions be called day after day without rising to bring them up. He had on the paper, twelve motions, and not one of them had been called on any occasion.

Hon. Mr. FOLEY—They have!

Hon. Mr. SICOTTE was anxious that the Hon. member for Cornwall should have an opportunity of taking part in this important discussion about to come up; and he thought the Hon. member for Toronto might, in deference to other members of the House equally interested with himself, postpone his resolutions, as suggested by the Hon. member for Waterloo. There would certainly be a fuller House, and also ample time for a full discussion and a division on the question. But, if the Hon. member for Toronto objected to the postponement, he would vote for the motion of the Hon. Attorney General.

Hon. Mr. FOLEY said, lest it should be deemed ungracious on his part, he would consent to a withdrawal of the Hon. Attorney General's motion.

The motion was withdrawn accordingly.

RATE OF INTEREST.

Hon. Mr. STARNES moved that a Select Committee be appointed to inquire into the working of the law past last Session, regulating the Rate of Interest, said Committee to consist of Messrs. *Tasse, McMicken, Simpson, J. Cameron Cayley, M. Cameron, MacDougall, Dufresne, Bourassa, Campbell, and the mover.*

Hon. Mr. GALT asked the Hon. gentleman to explain the nature of the inquiry which he wished to have made.

Hon. Mr. STARNES said, the discussion which took place on the Bill of the Hon. member for Montmorenci, in reference to the Rate of Interest, had shewn that a great change had taken place, not only in the opinion of Hon. members, but also among the people at large on the subject. The Usury Laws had been repealed, because it was evident they were productive of great abuses. It was now said that much greater abuses had resulted from their repeal than, in short, the Rate of Interest was much higher now than it was before. He wished, therefore, to have an inquiry into the facts.

Hon. Mr. GALT said, he did not know that he could offer any particular objection to the appointment of the Committee. The Hon. gentleman was, however, aware that the Government had distinctly declared their policy on the subject to be, that they could not sanction any change in the present law, without a longer trial of it than it had yet had.

Mr. SIMPSON and Mr. BUCHANAN supported the motion, which, on being put, was adopted.

PETITION OF ALFRED DREDGE.

Mr. DUNBAR ROSS moved that the Petition of Alfred Dredge (which he read *in extenso*) be referred to a Special Committee, with power to send for persons and papers and to report. The

Hon. member said, that either the petitions was a gross libel upon the Printing Committee, or the man had been much ill-used, and should have redress, and he (Mr. Ross) thought that an inquiry should be instituted.

Mr. BENJAMIN thought this motion should not pass. True, the petition was rejected by the Committee, but not till after full investigation. The facts alleged in it were not true. The Committee having all the facts before them, were in a position at once to decide. And as to the tender of Mr. Dredge being the lowest, they had submitted the matter to the trade, and had ascertained that it was not so, but that the tender of F. C. Dredge was really the lowest.

Hon. Mr. CAUCHON had no feeling in the matter, but when a binder, who had served the House for eight years, comes with such a petition, it was worthy of attention. The Committee had made mistakes before, for they had reported in favor of Mr. Lovell for Printing, and their decision was over-ruled. There were no complaints against Mr. A. Dredge.

Mr. BENJAMIN—Oh, oh, the state of his accounts told another tale.

Hon. Mr. CAUCHON—Well the Committee had made reductions upon the account of Mr. A. Dredge, but he had only asked what he believed to be right. Many other honest men had sent in accounts, which had afterwards been reduced. The strict economy that had recently prevailed, had led to the cutting down of prices, which, perhaps, after all, might be right. He thought the petition should be referred to a Committee, or perhaps to the Committee on Printing itself, where more thorough examination could be had.

Mr. BENJAMIN said, the Committee had not given away the Contract, but the House itself had done it.

Hon. Mr. CAUCHON—Yes, but it was at the last moment, when there was no time to examine, especially when it is remembered that the names of the two tenders were identical. It was the duty of the House to see that if justice had not been done, it should retrace its steps and see that the party fairly entitled to it should have the contract.

Mr. SIMPSON said, if there were any grounds for investigation he would be the last man to oppose it; but he (Mr. Simpson) knew that no injustice had been done to Mr. A. Dredge, as the Hon. member for Montmorenci could easily ascertain if he examined the matter thoroughly.

Hon. Mr. SICOTTE hoped the motion would be withdrawn, for if the matter was to be re-examined, very few members would like to serve on a Printing Committee. Two of the members of that Committee had declared that they had examined the tenders and had found that of F. C. Dredge the lowest, and if a Special Committee reported unfavorably to that decision, of course the Printing Committee would bring in a contra report and there would be no end to the matter. The precedent would be a very dangerous one, and for his part, if his action on a Permanent Com-

mittee were impeached, he would cease to attend its sittings.

Hon. J. A. MACDONALD, said, if this Committee were appointed, it would be an insult to the Printing Committee. It was, of course, competent for the Hon. member who moved in this matter to appeal to the House, but to ask to refer the case to a Special Committee, would necessarily be attended by the evils anticipated by the Hon. member St. Hyacinthe. F. C. Dredge had now the contract and he believed the difficulty had arisen simply from a mistake in the first report of the Committee.

Mr. DUNBAR ROSS said, if he (Mr. Ross) was charged with such a wrong as Alfred Dredge alleged had been done him, he would court enquiry. The facts as stated by the Attorney General were not correct. The petitioner says that on the morning of the last sitting of the House his name had been erased and that of his brother substituted. This looked very much like felony, and he wondered the members of the Printing Committee should be content to sit down under such an accusation. The manner in which the petition was treated by the Printing Committee, was in itself a strong presumption that wrong had been done. All that was asked was an enquiry, but the Printing Committee seemed anxious that it should not be granted.

Mr. FERRES said, this was the first time, he believed, that a Special Committee was asked to examine into the actions of the House, for the tenders were brought into the House by the Committee, and the House itself had decided.

Hon. Mr. CAUCHON—Yes, the House, in its last moments, when there was no time to examine the tenders, and no one to speak for A. Dredge, had accepted the opinions of the Committee who stated that the tenders of F. C. Dredge were the lowest.

Mr. FERRES had decided with a full knowledge of the circumstances, and now a Committee of Mr. A. Dredge's private friends was to be named to upset the action of the House itself.

The motion was then put and lost on a division.

WELLAND CANAL.

Hon. Mr. MERRITT moved for an Address praying for a return showing the whole cost of the Welland Canal, and the expenditure for its management and the returns it made. In support of his motion the Hon. member showed we once had a great part of the trade of the West to New York, and said that if we adopted the recommendations of the Commissioner of Public Works, in his very able report—the best he had ever seen—we would regain that trade. But it was the ocean trade that most concerned us after all, and since Great Britain had given a premium to New York against Canada, it was important that we should do what we could to protect ourselves. Some person recommended the enlargement of the Welland Canal, which would cost two millions of pounds, whereas that of building a single tract of Railway along side of the present one would cost £100,000, so that the whole outlay would be less than the interest

on the enlargement of the Canal. We should now bend all our efforts to get a bounty on our ocean steamers similar to that given to the New York lines, and the effect would be that we would have a daily line, and the greater part of the emigration. So soon as the New York steamers commenced to carry emigrants we lost them all. It was high time we should bestir ourselves to remedy these evils.

Mr. SIMPSON contended that the representations of the Hon. member were not correct, and that the cost of enlargement of the Welland Canal had been stated at just double the amount estimated by Mr. Shanley. The Welland Railway could not meet the wants of the Trade, and if we even got it it would be by the enlargement of the Welland. He would take some other opportunity of going over the arguments of the Hon. member.

Hon. Mr. MERRITT would prove that his figures were correct. The Welland Canal would now take .15 millions of tons, and it had been successful so long as it had no Railways to contend with it. It had been the same with the New York Canals, they had been ruined by the Central Railway.

Hon. Mr. ROSE said, opinions were much divided as to which mode of carriage was best, that by the Welland Canal or by Railway, and the subject was so important that it was well worthy of being inquired into. There was no objection to the Address, but he would refer the Hon. member to a clause in his own (Mr. Rose's) report which would supply all the desired information.

Hon. Mr. GALT was rather surprised to hear that the carriage was cheaper over the Welland Railway than through the Canal. To the present the opinion had been general that water carriage was the cheapest, and this too on the authority of the Hon. member for Lincoln himself, for he was the father of the Welland Canal. However, if he had satisfied himself now that Railways was cheaper he would perhaps be able also to prove it to the House. His own (Mr. Galt's) opinions he confessed were quite the other way, and he very much doubted whether the Hon. member could sustain his present position.

Six o'clock having arrived, the subject dropped.

MR. BROWN'S RESOLUTIONS AGAIN.

The Order being called for the consideration of Mr. Brown's resolutions, in reference to the Constitutional Relations of Upper and Lower Canada.

Mr. FOLEY said he had to move, seconded by Mr. D. A. MACDONALD, "That the said Order be discharged, and that it be the first Order of the Day for Monday next." He made the motion in fulfilment of a promise made by him to the Hon. member for Cornwall, one of the oldest members of that House, and one who, for many years had occupied a prominent position in the House and the Country, who was desirous of being present when the Resolutions were discussed, and of taking part in the discussion. It was also in accordance with the

suggested that next Monday, instead of to-day, should be fixed for the discussion. He believed then, and he believed still, that the delay asked for was not unreasonable, but that, on the contrary, it would be advantageous, as they would then have present other members besides the Hon. member for Cornwall, who were anxious to be present, and the resolutions would have free and full discussions.

Hon. Mr. DRUMMOND said he would have no objection to the motion, if the Government would give the assurance that they would throw no difficulty in the way of the discussion on the day named.

Hon. Attorney General CARTIER said the Government were most anxious that the discussion should be proceeded with at once, and, if possible, voted upon to-night, but if that were not possible, at the earliest possible period. As regarded the question of the Hon. member for Lotbinière, he could only say that the Government would not interfere either one way or the other. Monday was a day set apart for Government business, but for business in the hands of members, and the Government could not undertake to say that Hon. members would forego the privileges which they had on that day of bringing forward their business. The Government felt the importance of the resolutions—resolutions which had originated in a large Convention in Upper Canada, and a small Convention composed of four persons—(Laughter)—in Lower Canada, but they would not consent to any of the days set apart for their business being appropriated for their discussion.

Dr. CONNOR said he did not think the delay asked for was unreasonable. When they reflected on the position held by the Hon. member for Cornwall in that House—when they considered the important district of Country represented by him—it was only right that all proper respect should be paid to any reasonable request which he might prefer on so important a matter. The insinuation of the Hon. member for Toronto, this afternoon that there was a secret understanding between him and Hon. gentleman on the Treasury Benches, came ill from one whose conduct and demeanor had rendered him so open to the suspicion of coquetting with Hon. gentlemen opposite. Cries of ("Hear, hear, and laughter.") No one who had heard the compliments which had been paid by Hon. gentlemen on the Treasury Benches to the Hon. member for Toronto, and seen the nods of approval which had, time and again, been given by the Hon. member for Toronto to what fell from gentlemen on the other side of the House, could come to any other conclusion than that the Hon. member for Toronto and the Hon. gentlemen on the Treasury Benches perfectly understood each other. (Renewed Cries of "hear, hear.") The Hon. member for Toronto seemed, indeed, to have come perfectly down to the standard of Hon. gentlemen opposite.

Hon. Mr. BROWN said he really regretted that the Hon. member for North Waterloo and the Hon. member for South Oxford should be in such

a distressed state of mind. Both those Hon. gentlemen need not be so dreadfully alarmed at the little acts of courtesy which they had seen pass between Hon. gentlemen opposite and himself. Those Hon. gentlemen were the very last who ought to have expressed any astonishment at anything of the kind. They ought by this time to have understood the Hon. Attorney General West as well as any one, for, if report spoke truly, they had coquetted with him, and he had been playing with them like trout. ("Hear, hear," and laughter.) He (Mr. Brown) fully understood the courtesy shown to himself, for it was only a repetition of the same sort of game. But he was always prepared to give courtesy for courtesy, and because he did so forthwith, he must be twitted with a desire to form new combinations. This came ill from Hon. gentlemen on the opposite side of the House—Hon. gentlemen who had made it a matter of boast that they could any day walk across the floor and take their seats on the Treasury benches. More particularly did it come ill from an Hon. member who had only got his seat by a majority of one—(Ministerial cheers)—and who could never have taken it had he not received his (Mr. Brown's) assistance. (Renewed cheers from the Ministerial benches.)

Dr. CONNOR rose and made some observation in reply, but in the confusion it was inaudible in the gallery.

Hon. Mr. BROWN said, he had not interrupted the Hon. gentleman, nor would he allow him to interrupt him. He (Mr. Brown) had got the Hon. gentleman the one vote which secured him in his seat. He did not mean to say he got him all his supporters, but he did say he got him the one vote which secured him his seat, and that he could not have taken his seat but for him.

Dr. CONNOR asked Mr. Brown to name the person whose vote he had secured for him.

Hon. Mr. BROWN said, he could not only name one, or a dozen, but many. The Hon. gentleman complained that he had placed the resolutions on the paper without consulting his party. This certainly came well from the Hon. gentleman who had attended the Convention and voted for them. It was certainly very proper for him, at the opening of the debate, to endeavour to throw them overboard, or, at the least, to mar them. But he (Mr. Brown) conceived he was the best judge of the time when to place them on the paper, and when to bring them forward. He put them on the paper on the first day of the Session for good reasons of his own—reasons which, at the proper time, he should be quite prepared to state. Why they had not been brought up for discussion earlier, was capable of easy explanation. The House had now been in Session seven weeks. Last week he was sick, and the two weeks previous were lost through the intervention of the Easter Recess. This only left four weeks, and when it was borne in mind that certain points connected with the party had to be settled before they could be considered, it would be seen how little chance he had had of bringing them up. Having given this explana-

tion, he would appeal to Hon. gentlemen opposite, notwithstanding what had fallen from the Hon. member for South Oxford, to state frankly whether they would interpose any obstacle to the resolutions being proceeded with next Session. As a matter of course, he was desirous, if possible, of yielding to the wish of the Hon. member for Cornwall. The Honorable gentleman had appealed to him to consent to the discussion being postponed, but his desire to oblige on personal grounds must give way to his public duty, unless he could have their assurance from the Government that the resolutions should be thrown over, and that there should be a division on them.

Hon. Atty. Gen. CARTIER repeated the statement which he had made in reply to the Hon. member for Lotbinière, assuring the Hon. gentleman that the Government were most anxious for the debate to proceed this evening.

Hon. Mr. FOLEY said, after what had fallen from the Hon. member for Toronto, he must claim the privilege of saying a few words in reply.

Mr. SPEAKER said, the motion of the Hon. gentleman was in amendment to the Order of the Day, and consequently he had not the right of reply.

Cries of "Hear him."

Hon. Mr. DORION said, if it were necessary he would move that the Hon. gentleman be heard.

Hon. Mr. FOLEY proceeded to say that the Hon. member for Toronto had made a most unjust and unwarrantable attack on both the Hon. member for South Oxford and himself. He had charged them with coquetting with the Government. Well, he regretted to be under the necessity of saying, but the occasion obliged him to do so, that no Hon. gentleman in that House, understood the art of coquetry better than the Hon. member for Toronto. (Hear, hear.) There was a time when the Hon. member, not only coquetted, but became ally of the very gentlemen then on the other side of the House—and this, too, for the purpose of destroying the Reform Government of that day, and advancing the interests of Hon. gentlemen on the other side.---The result of that coquetry and alliance was before them at that very moment. It therefore, ill-became the Hon. gentleman to prefer a charge of the kind, against gentlemen with whom he had acted for years past---gentlemen who had been faithful and true to the Reform party, the party of which he now professed to be the head---and who had honestly sustained the interests and promoted the objects of that party. (Hear, hear.) The Hon. gentleman conceived it to be important at this crisis, to abuse the Hon. member for South Oxford and himself. He hoped thereby to damage both of them, in the Western part of Upper Canada. Well, the Hon. gentleman was welcome to make all the capital he could in that way. But again referring to the charge preferred by the Hon. gentleman against

the Hon. member for South Oxford and himself, of intriguing with the Government, he would ask, had there ever been one word of disapprobation uttered by him publicly before? No doubt much had been said privately and covertly, but had he ever dared publicly to give expression to such a statement? No, he did not believe it; or, if he did, then he had acted dishonestly in concealing it, and in asking the Hon. member for South Oxford, and himself, to take part in the Government which he had the honor to form. But at the Hon. gentleman's own urgent solicitation, the Hon. member for South Oxford and himself had, up to the very beginning of that Session, continued to work with him. He would not refer further to what had fallen from the Hon. gentleman, than to say that he (Mr. Foley) had been associated with the Reform party, years before that Hon. gentleman had a seat in the House, and he did not doubt but that he should be associated with it years after that Hon. gentleman had ceased to vex, and to distress the Reform party. (Hear, hear.) When the Resolutions came before the House in a proper form, he would state his opinions fully and frankly, respecting them. When he made the motion, now before the House, it was for the purpose of enabling the Hon. member for Cornwall, and other Hon. gentlemen to have a full and fair opportunity of hearing and taking part in the discussion.---When the Resolutions came up, the Hon. member for Toronto would, perhaps, discover that other men could be as independent and patriotic as he, and that men were to be found who would stand as faithfully to the principles of the Reform party. When opportunity offered, the Hon. member for Toronto should have all the advantage of any accusations which he had brought against the Hon. member for South Oxford, and himself. He only wished it should be done in an open and manly manner, and not in the stab-in-the-dark manner, which he (Mr. Brown) was so apt to prefer, and which he had so often been obliged to withdraw. (Hear, hear.)

Mr. CONNOR was aware that a discussion like the present was highly gratifying to the other side of the House, but he could not allow the charge against him to pass without some defence. The Hon. member for Toronto had said he (Mr. Connor) owed his seat to his support, but it was well known that when he (Mr. Connor) went up to North Oxford to stand for that county, the Hon. member for Toronto published an address which defeated him; and in South Oxford a paper attributed to the same agency, and hostile to him, was circulated the night before polling began. As regarded the charge of coquetting, he challenged any gentleman to say that he had ever made any approaches with a view of obtaining office. He defied any one to point out a solitary vote in which he had not proved fidelity to his party. One great obstacle to his election was his well known and

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 23, 1860.

MR. BROWN'S RESOLUTIONS AGAIN.

(Concluded from our last No.)

uncompromising opposition to the principles of the Government. It was well known that he had no leaning towards parties in power, and no hunger for the petty offices at their disposal. He wished to say positively that he did not owe his position to the Hon. member for Toronto, and if he could retain it only at the beck and nod of that or any other gentleman, the sooner he gave it up the better.

Mr. DUNKIN said, it was rather amusing to see the Hon. gentleman who was accustomed to charge the Government side of the House with every variety of corruption and incapacity, administer a little of the same accusation to his own particular friends. But he (Mr. Dunkin) had not changed his opinion of either party. It was only another example of the extraordinary style in which that Hon. gentleman undertook to dragoon alike his opponents and his friends. He had said to-night he did not want to wait for members of his party, because he knew they would vote against his resolutions. But he (Mr. Dunkin) wished to see the matter discussed before all the leaders of the party. (Hear, hear.) He had unnecessarily postponed the subject to suit his own convenience, and should now wait until all could hear it who were interested. There was not the slightest fear of the Session ending too soon, to allow a full discussion, and he should therefore vote for the motion of the Hon. member for Waterloo.

Hon. Mr. CAUCHON said, it was not the business of the House to enquire into the quarrels of the Opposition, but it was clear that the Hon. member had been so accustomed to make the possession of office his great aim, that he naturally accused everybody else of the same tendency. That Hon. gentleman was the last who really desired a division upon the question, for

he knew well he would have an Upper Canada minority. (Hear, hear.) His motion was put on the paper for effect, and without any intention of bringing it to an issue. He had insulted Lower Canada year after year, and used all his influence to provoke a difference between Upper and Lower Canada, and now he wanted to urge a Dissolution of the Union, not upon any great principle, but to remedy the hatred and the ill feeling he had himself created. (Hear, hear.)

Mr. PATRICK said, the Government knew well there would be ample time for the discussion, if postponed, but their object in hurrying it on was to scatter confusion in the ranks of the Opposition. The Hon. member for Toronto had accused the Opposition of coquetting with the Government, but it was the Government who had been coquetting with them. His advice to the Hon. member for Toronto was, to do by his resolutions as Hon. gentleman opposite had done by the Bank of Issue, and abandon them altogether. (Laughter.)

Hon. Atty. Gen. MACDONALD said, the House had heard to-night from the leaders of the Opposition that their party was broken as a party and disunited in principle; that notwithstanding their loud professions both last Session and this, they were dissatisfied and displeased, and in fact amounted to nothing more than a number of atoms accidentally placed together but without any principle of adhesion, and indeed without any principle at all. (Laughter.) Again and again had that party attacked the Government and charged them with not having a majority in Upper Canada, and not representing the people fairly. But if the party opposite represented the opinions of the people of Upper Canada, he would like to know what that opinion was upon any one great subject. The attacks of that party upon the Government had been against their principles, against their statesmanship, against their capacity, and again and again had they assailed their integrity and their honor. Great indeed had been their political sin against the Government, but he wanted no greater triumph than the exhibition they

had witnessed to-day. (Hear, hear.) The great object of that party was now no longer concealed, but had they any principle, or any course of action, or any right whatever to entitle them to take the position of the Administration? We found they had not one connecting principle except the principle which united the bandit and the highwayman, that of common plunder. (Cheers.) Let the country ponder well what would have been the consequences had that party obtained control. What a contrast would there have been with the present calm conduct of the Government, under which, whatever might be individual opinions, the country had prospered and risen superior to the greatest commercial crisis and the greatest commercial distress that a Province or a country had ever subjected to. (Hear, hear.) When the Government of 1854 was formed all quarrels and feuds were forgotten in community of sentiment, and the moderate and consistent course adopted was justified by the language and conduct of Hon. gentlemen opposite. If he had any sympathies at all with the other side, he did not hesitate to say, that notwithstanding the taunts of some Hon. gentlemen, his sympathies were with the Hon. member for Toronto. (Hear, hear.) It was certainly not from any personal affinity. He was not a loadstone to attract the Hon. member for Toronto, nor was the Hon. member attractive to him. (Laughter.) If any two persons were unfortunately placed in personal hostility, it was that Hon. gentlemen and himself, but the matter was forced upon them and he had always regretted it; but that hostility would perhaps prevent them from ever forming a closer intimacy than was required by ordinary parliamentary courtesy. Still, he could not help feeling for an able man who had formed a large party. Without him that party would never have existed. Had it not been for the ability unscrupulously exercised by the Hon. gentleman to sustain that party which had neither ability, principle nor practice of its own, it had never taken any position whatever. (Hear, hear.) No one could prevent a number of men from uniting for the purpose of forming a Government and sacrificing all principle for the sake of personal aggrandizement, but what was the result? Did not the Hon. member for North Waterloo get up and accuse the Hon. member for Toronto of having "vexed and annoyed" and finally overthrown the reform party before 1854, yet that Hon. gentleman was a reformer, one who had signed the "round dobbin" and did everything he could to destroy the reform element in the Government. When he heard that Hon. gentleman (Mr. Foley) charge the Hon. member for Toronto with having vexed and annoyed and destroyed the Reform party, and with being in the habit of stabbing in the dark, he could not help remembering that only two years ago that same gentleman was exceedingly happy in an office under that vexer and destroyer. (Hear, hear.) The same was true of the Hon. member for South Oxford. That Hon. gentleman had appealed to him (Hon. Atty. Gen.) to say whether

he had had any communication with a view of taking office. He could certainly answer in the negative. He had neither asked for office nor had office ever been offered to him. Indeed the Government was a little particular to whom they offered anything of that kind. (Great laughter.) Then the Hon. member alluded to the compliments that had passed between himself (Hon. Atty. Gen.) and the Hon. member for Toronto. Now, he denied that anything like a compliment had on any occasion passed between them. There had been courtesies, it was true. The courtesies of the Hon. member for Toronto were very pleasant; they had begun with the present Session and he hoped they would continue. (Hear, hear.) But he denied that directly or indirectly there had been any understanding between them. The Hon. gentlemen opposite had never had an understanding among themselves except for the purpose of getting office, and he must charge them with a great lack of principle. The Hon. member for Toronto accused certain members of his party of faithlessness and intrigue, but that charge was condemnatory of himself, and of his course in forming the Brown-Dorion Administration. If he knew them to be capable of sacrificing the principles of their party, why did he take them into his Government? He (Mr. Brown) charged his party with playing with the Government like "trout." Trout were difficult to catch but they were caught, or rather found out at last. (Laughter.) And really he had an honest satisfaction in listening to-night to the speeches on the other side of the House, for he felt them to be a justification of the course of the Government. (Hear, hear.) Had the Opposition really voted conscientiously he believed the Government would have had an Upper Canada majority on almost every question. (Hear, hear.) That party of which he was proud to be called the leader did truly represent the people of Upper Canada—(Cheers)—and had it not been for that unholy unhallowed and unprincipled combination to put them out of office he knew they would have had a large majority. (Hear, hear.) As regarded the question before the Chair, he did not and could not under-rate the importance of the subject which some Hon. members were anxious to postpone. A respectable body of five or six hundred gentlemen had met in Convention, their conclusions were entitled to full consideration, and should be met gravely and fairly by the House. He was not prepared, however, to admit that any such grievances as those set forth in their manifesto did really exist, and for all the grievances there were he thought a remedy might be provided under the present Constitution. (Hear, hear.) That Constitution would allow the country to go on growing, embracing the Red River country on the West and the Eastern Provinces on the East, increasing in strength and importance as it grew in size. It was therefore of the utmost importance that the House should express its opinion as to the expedience or necessity of altering the present Constitution. As regarded the delay, the Govern-

ment could give no promise that a question upon which there must be so many contrary opinions would be concluded during the Session if postponed for another week. As soon as the Government had got through their own business, and given a fair opportunity for the discussion of private measures, it would be their duty to bring the Session to a close. He would advise the Hon. member for Toronto to proceed at once. The discussion would be well reported, and the Hon. member for Cornwall would be able to give it a full consideration, and make his reply before a division took place. He did not think that private business, however urgent, quite justified Hon. members in absenting themselves when there were questions of such moment coming up. It was not the practice in England, and ought not to become the custom here. He hoped, therefore, the Hon. member for Toronto would proceed. (Hear, hear.)

Hon. Mr. BROWN said that although there were personal quarrels among some of the members of the Opposition, yet that it was not to be imagined that the Opposition was broken in pieces, as the Hon. Attorney General West had stated. Those quarrels neither broke up the Opposition in the House, nor yet affected the Opposition principles of the people of Upper Canada. The Attorney General West stated that "plunder" was the only connecting link which bound the Opposition together. That Hon. gentleman seemed to be used to such terms; for on a former occasion he had termed a then existing Ministry as being "steeped to the lips in corruption;" and, strange as might seem, the Hon. gentleman joined that very Ministry some time afterwards. The Hon. gentleman dwelt on the quarrels of the Opposition. But, were there not also quarrels and divisions amongst parties to which he had the honor to belong. Surely the Hon. gentleman had not forgotten the quarrel with the Hon. member for Montmorenci? Did the Hon. gentleman forget the quarrel between himself and Sir Allan McNab, and the round-robins, and so on? Did the Hon. gentleman forget sending the doctor to the sick-bed of his old Chief to get him to resign, on the plea of saving the party he belonged to from destruction? Was the resignation of the Hon. Mr. Ross forgotten? With all these instances before his eyes, a charge of quarrelling came well from Hon. gentlemen. Both the charge of quarrelling and the taunt of plunder too. It did happen that he held views as to remedies to be applied to the country, to which some of his colleagues did not agree. He thought that to meet all that the country desired, something more than Representation by Population, or the other similar measures more requisite; and feeling this he had called a meeting at which he had advocated Constitutional changes. Was this like as if he was seeking for plunder. He knew that the principle involved a strong and long struggle. It was on that account that some of his friends differed from him, thinking that the remedies he proposed could not be applied to the wants of the country soon enough—since it was admitted

on all hands that they demanded an immediate remedy, and that the consequences to the country would be ruinous, if it were left in the hands of the men who, at present, sat on the Treasury Benches. The Hon. Attorney General West was too hasty in jumping at the conclusion that the Opposition were divided. The Opposition were unanimous that a Reform was demanded; and they only differed as to how far that Reform was to go. Let the Hon. gentleman look to his own side, and see were there not divisions there? Let him look at the motley crowd by which he was surrounded—kept together only by an occasional distribution of money from the public purse. To pass from this, the Hon. gentleman alluded to what Mr. Foley had stated, that the views he [Mr. Brown] held vexed, and overthrew the Reform party.

Hon. Mr. FOLEY interrupted the Hon. gentleman. He did not say that his views vexed the Reform party. All he said was that his manner of enunciating them did so.

Hon. Mr. BROWN was satisfied that that explanation made a material difference. Some people thought that everything was to be sacrificed to party. But his own opinion was not that every thing was to be sacrificed to one's own party, but that on the contrary every thing was to be sacrificed for the good of the country. It was for these reasons that in days gone by he had left the ranks of the Hinck's party—because he saw that they were not following out the true principles of reform. He did not want any approbation for following out those principles beyond the fact that they were the opinions of a large portion of the people of Western Canada, and also of a large number of the members in the House. With regard to the Convention which the Hon. Attorney General West had alluded to in a slighting manner—

Hon. Mr. MACDONALD begged the Hon. gentleman's pardon. He had alluded to it as a grave fact and not in a slighting manner.

Hon. Mr. BROWN could not discover from the Hon. gentleman's mode of speaking what he meant. But he could assure him that that Convention was composed of some of the most intelligent men in the country. And it would be well for that Hon. gentleman if he could ever get together such a number of intelligent men as met at that time in Toronto. And he could tell him that he never would until he changed his principles. He [the Attorney General] had stated that the resolutions which he hoped would soon be [Mr. Brown] before the House were not his, but the result of the deliberations of the Convention. Those resolutions were certainly adopted by the Convention, but at the same time, they were framed by him [Mr. Brown]. They were from his own mind; and they contained, in his opinion, the best remedy for the evils which afflicted the country. In conclusion he would say, that he was glad to see the Hon. Attorney General West preparing to enter on the discussion of those subjects as their importance demanded. Constitutional changes were demanded. And he [Mr. Brown]

did not care whether it was the scheme of Mr. Galt or Mr. Cartier--let the Attorney General West come out boldly and say what Constitutional changes are demanded, and he [Mr. Brown] would be satisfied

The House then divided on the question which was carried. Yeas, 65; Nays, 44.

YEAS:—Messrs. Abbott, Archambeault, Baby, Bourassa, Bureau, Burton, Campbell, Carling, Cayley, Cauchon, Chapais, Cimon, Connor, Daly, Daoust, Dawson, Dionne, Drummond, Dufresne, Dunkin, Ferres, Foley, Foster, Fournier, Gaudet, Gill, Heath, Hébert, Howland, Labelle, Laberge, Laframboise, Langevin, Laporte, Lemieux, Loux, LeBoutillier, D. A. McDonald, McLeod, McCann, A. P. McDonald, McGee, McMicken, Meagher, Merritt, Morrison, Ouimet, Panet, Patrick, Piché, Papineau, Playfair, Walker Powell, W. F. Powell, Price, Robinson, Roblin, T. W. Scott, Sicotte, Starnes, Tassé, Tett, Thibaudau, Whitney, Webb.—65.

NAYS:—Messrs. Aikins, Bell, Biggar, Brown, Benjamin, Buchanan, Burwell, Malcolm Cameron, John Cameron, Atty.-Gen. Cartier, Clark, Cook, Dorion, Dorland, Ferguson, Finlayson, Fortier, Galt, Gould, Gowan, Harcourt, Harwood, Jobin, Lacoste, Macbeth, Attorney-General Macdonald, McDougall, McKellar, Solicitor-General Morin, Mowat, Munro, Notman, Rose, Jas. Ross, Rymal, Wm Scott, Sherwood, Short, Simpson, Stirton, Somerville, White, Wilson, Wright.—14.

PRIVATE AND LOCAL BILLS READ A THIRD TIME.

BILL to incorporate the Montreal and Chambly Steamboat Company, known as the "Ligne du Peuple."—Mr. *Campbell*.

BILL to extend the period allowed to the Montreal Telegraph Company for extending their line to the Atlantic coast and across the Atlantic.—Mr. *Whitney*.

BILL to declare the mode in which the Side Lines of the First Concession of the Township of Cumberland, in the County of Russell, shall be run.—Mr. *Loux*.

BILL to Incorporate the Drummond and Arthabaska Counties Railway Company.—Mr. *Dunkin*.

PRIVATE AND LOCAL BILLS PASSED THROUGH COMMITTEE.

BILL to incorporate the Association of Provincial Land Surveyors and Institute of Civil Engineers (and amendments).—Mr. *W. F. Powell*.

BILL further to amend the Act incorporating the Brockville and Ottawa Railway Company (and amendments).—Mr. *Bell*.

BILL to authorize the Corporation of the City of Montreal to acquire a site upon which to erect a Terminus for the Grand Trunk Railway of Canada (and amendment).—Hon. Mr. *Dorion*.

BILL intitled "An Act to amend the Act for the Incorporation of the International Bridge Company"—(from Legislative Council).—Hon. Mr. *Foley*.

BILL to incorporate the South East Mining Company of Canada—(and amendments).—Mr. *Dunkin*.

BILL to incorporate the Academy of St. Romuald de Farnham—(and amendments).—Mr. *Whitney*.

BILL to incorporate the Melbourne Female Seminary—(and amendments).—Mr. *Webb*.

BILL to amend the 22nd Vic., Cap. 90, in reference to the Niagara and Detroit Rivers Railway Company.—Mr. *Walker Powell*.

BILL to confirm certain Side Roads in the Township of Vaughan, as the same have been opened out, improved and travelled, and to provide for the manner in which the remaining Side Road allowances, and other boundary lines of Lots in the said Township, shall hereafter be defined (and amendments).—Mr. *Howland*.

BILL to amend the Act Incorporating the St. Lawrence Mining Company—(and amendments).—Mr. *D Ross*.

BILL to annex the Rural Municipality of Notre Dame du Portage to the Municipality of Temiscouata—(and amendments).—Mr. *Chapais*.

BILL to incorporate the Common of Berthier—(and amendments).—Mr. *Piché*.

BILL for incorporating and granting certain powers to the British American Investment Company—(and amendments).—Hon. Mr. *Cayley*.

BILL to restrict interments in a certain Burial Ground in the City of Quebec—(and amendments).—Mr. *Langevin*.

BILL to incorporate the British American Manufacturing Company—(and amendments).—Mr. *Abbott*.

BILL to provide for the repayment to the United Counties of Northumberland and Durham, of moneys loaned by them to certain Municipalities within the said United Counties—(and amendments).—Mr. *Burton*.

PRIVATE AND LOCAL BILLS READ A SECOND TIME.

BILL to incorporate certain persons under the name of the "Upper and Lower Canada Bridge Company."—Mr. *Heath*.

BILL to consolidate and provide for the liquidation of that portion of the Debt of the Town of Guelph not affected by the Act respecting the Consolidated Municipal Loan Fund.—Mr. *Stirton*.

BILL to incorporate the St. Patrick's Literary Association of Montreal.—Mr. *McGee*.

BILL to incorporate the General Hospital of the District of Richelieu.—Mr. *Sinclair*.

BILL providing for the separation of the City of Toronto from the United Counties of York and Peel for Judicial purposes.—Mr. *Wright*.

BILL to enable Alexander Donald Austin, Eneas Macdonnell, and others, to execute certain Conveyances, notwithstanding disability.—Hon. *J. S. McDonald*.

The House, at twelve o'clock, adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Tuesday, April 24, 1860.

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

THIRD READINGS.

The following Bills were read a third time.

To Consolidate the Debt of the Town of Bow-
manville.

To Incorporate the St. George's Society, Mon-
tréal.

To provide for the Investment of Money by
Insurance Companies.

To Incorporate the Town of Lindsay.

To amend the Assessment Law.

To provide for the Assignment of Dower.

INDIAN LANDS.

On motion of Hon. Mr. VANKOUGHNET, the
House went into Committee of the Whole on
the Bill to provide for the management of Indian
Lands.

Hon. Mr. SIMPSON suggested that some pro-
visions ought to be put into the Bill to declare
all surrenders of Indian Lands void, unless made
through the intervention of the Crown, so as to
protect the Indian from fraud being practised
on him,

Hon. Mr. VANKOUGHNET said, that the law
as it at present stood, and as it would stand,
undisturbed by the present Act, provided that all
such surrenders were void unless sanctioned by
the great Seat of the Province. He had framed
his law so as to make the condition of the Indian
as good under the Colonial as under the Imper-
ial Government. At present, the law prevent-
ed the white man from dealing with the Indian;
he would not like to introduce any provision
which would prevent the Indian from dealing with
the white man, as that would, in all probability,
appear to the Indian as an act of coercion. He
desired to keep the Bill as free as possible from
all detail that could possibly be objected to by
the Imperial Government to whom the Bill
would have to be sent for approval.

Hon. Mr. MORIN was not satisfied with the
provision of the Bill on the head alluded to,
and in order to settle the matter, would move
an amendment, to be inserted in the Bill, to the
effect that, no sale or surrender of Indian Lands
should be made, except to the Crown.

Hon. Col. PRINCE thought the amendment
an act of supererogation, and would vote against
it. At the same time, he remarked that, in his
opinion, the Government or the House did not
understand the character of the Indian, who, he
knew from experience, was just as good a judge
of land as the white man. He thought the In-
dian ought to be allowed to lease his land,
without any intervention—but not to sell it
without the consent of the Crown.

The amendment was put and lost.

The Bill was reported with some slight amend-
ments, and ordered to be read a third time to-
morrow.

JOINT STOCK COMPANIES.

Hon. Mr. CAMPBELL moved the second read-
ing of the Bill to amend the Joint Stock Manu-
facturing Companies' Act. The object of the
Bill was to include Express Companies among
the list of Companies included under the Act.

The Bill was read a second time.

THREE RIVERS' COLLEGE.

Sir E. P. TACHÉ moved for the second read-
ing of the Bill to incorporate the Three River's
College.

The Bill was read a second time and referred
to a Special Committee.

FOREIGN INSURANCE COMPANIES.

Hon. Mr. PATTON moved the second reading
of the Bill to regulate Foreign Insurance Com-
panies. The Hon. gentleman said that this
was the same Bill which had been introduced
with indifferent success last Session. Its im-
portance could not, however, be overrated,
as there were some 87 Foreign Offices having
Agencies in our Province, which, if they failed,
would leave their victims without the least
chance of recovering back any part of their in-
vested money. It was not long ago since one of
those Companies collapsed involving many in
ruin. The Bill was framed to prevent the re-
currence of such things, by providing that
all Foreign Insurance Companies should be re-
quired to deposit \$50,000 in Bank securities,
which should be at the disposal of the Finance
Minister, or other person appointed, in case they
failed, to distribute as far as it went amongst
the sufferers. Each Foreign Insurance Company,
it was also provided, should take out a certifi-
cate from the Finance Minister before commenc-
ing operations—and of course this certificate
would not be given until the provisions of the
Act had been complied with. This certificate
should be filed in the Office of the Superior
Courts in Upper Canada, and in Lower Canada
in such other place as would always leave it in
the power of the public to examine it. A copy
of the Charter under which the Company was
carrying on business, and of the power of Attor-
ney under which the Agency was established,
should also be filed. Then the Foreign Insur-
ance Companies carrying on business in Can-
ada, would be placed in a responsible position,
as far as the \$50,000 went. It was objected that
this sum was too small—but at all events it
was better to have that have sum available,
than have the entire loss fall upon the share-
holders in case of a failure. The Hon. gentle-
man dwelt strongly upon the character of some
of the American Insurance Companies which
established Agencies in this country, and went
on to show that even in the United States the
provisions of his Bill were the law of the land
as regards Foreign Insurance Companies. Un-
der the present system of competition amongst
such Companies, there was no security for the
public; and indeed one of the English Insurance
Companies who had an Agency in the country
confessed that the Insurance business in Canada

was conducted on a false basis. He felt convinced that it was impossible for any Company to pay the premiums which were sometimes paid in Upper Canada, at least, and do a safe business. The great secret of this evil was the allowing the Agents of the Companies to make their profits out of the premiums which they received. He would move the second reading of the Bill.

The Bill was read a second time.

Hon. Mr. VANKOUGHNET did not desire to oppose the second reading of the Bill. The object it had in view was a good one, but he was not sure that the mode by which that object was sought to be attained was the best. In his opinion, the proposed remedy—the deposit of the \$500,000 would rather give a false than a real security to Insurance Companies. That sum was a small guarantee to fall back on the winding up of a Company's affairs, where the loss was \$500,000 or more. If this Bill were adopted he thought that it would lessen the caution which the public at present exercised before investing their money in such Companies. The wary man, who before made enquiries to see if the Company was perfectly sure or not, would think such enquiries no longer necessary—the deposit the Company being made, and the other forms complied with. The consequences would be that there would be a great increase in the business of those companies, while there would be no guarantee worth talking of in case of failure.

The Bill was referred to a Special Committee.

BILLS FROM ASSEMBLY.

The following Bills were introduced from the Legislative Assembly and read a first time.

To amend the Act respecting the Law Society of Upper Canada.

To amend the Act respecting Barristers-at-Law.

To amend the Act respecting Attornies.

To regulate the removal of causes from County Courts.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, April 24, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to erect the sub-division of St. Hubert, in the Parish of St. Antoine de Longueuil, County of Chambly, into a separate Municipality.—Mr. *Jobin*.

BILL to incorporate the Seminary of Mount Hope, in the County of Ottawa.—Mr. *R. W. Scott*.

BILL to amend the Hamilton and Port Dover Railway Company.—Mr. *Buchanan*.

BILL to amend Act 22 Vic. Chap. 11, to provide for the selection of the County Town of the County of Bruce.—Mr. *Holmes*.

BILL relating to the Registration of Judgments, Bonds, and other securities, in favor of the Crown.—Mr. *Foley*.

BILL to amend the Consolidated Statutes of Canada, Chap. 3, known as the Territorial Division's Act.—Hon. *Atty. Gen. West*.

BILL to make better provision for reporting the decisions of the Courts in Lower Canada.—Hon. *Mr. Dorion*.

BILL to amend the Act Incorporating certain persons under the name of the Metropolitan Fire Insurance Company.—Hon. *Mr. Dorion*.

BILL [from Legislative Council] to incorporate the Pilots for and below the Harbor of Quebec. Hon. *Mr. Cauchon*.

BILL [from Legislative Council] to amend the Act Incorporating the Town of Lindsay.—Mr. *John Cameron*.

CUSTOMS' DUTIES.

Hon. Mr. GALT moved the House into Committee of the Whole on certain resolutions, affirming the expediency of repealing the duty on books, and that all articles be admitted free which are imported for the use of any Consul General of a foreign country, being an alien, and a subject or citizen of the foreign country which he represents, and not being engaged in commercial business or pursuits. In reference to the first part of the motion, it was unnecessary for him to say anything. As regarded the second he would only say that he was following the example of England and other countries, the object being simply an act of courtesy to the representatives of foreign countries.

Hon. Mr. DORION said, all he said was that he exceedingly glad to see that, in reference to the duty on books, the Finance Minister had been brought at last to his (Mr. Dorion's) way of thinking.

Hon. Mr. BROWN expressed his regret that the Finance Minister had not gone a step further, and proposed to repeal the postage on newspapers. The effect of the imposition on newspapers had been very seriously to reduce the circulation of the country papers, as well as of some of the metropolitan journals; while the revenue had been very slightly benefited.

The motion was carried, and the House went into Committee—Mr. Benjamin in the Chair.

The Committee rose and reported the resolutions as adopted.

BILLS READ A THIRD TIME AND PASSED.

BILL to incorporate the Association of Provincial Land Surveyors and Institute of Civil Engineers.—Mr. *W. F. Powell*.

BILL to authorize the Corporation of the City of Montreal to acquire a site upon which to erect a Terminus for the Grand Trunk Railway of Canada.—Honorable *Mr. Dorion*.

BILL intitled "An Act to amend the Act for the incorporation of the International Bridge Company"—(from Legislative Council)—Honorable *Mr. Foley*.

BILL to incorporate the South East Mining Company of Canada.—Mr. *Dunkin*.

BILL to incorporate the Academy of St. Romuald de Furanham.—Mr. *Whitney*.

BILL to incorporate the Melbourne Female Seminary.—Mr. *Webb*.

BILL to amend the 22 Vic., Cap. 90, in reference to the *Niagara and Detroit Rivers, Railway Company*.—Mr. *Walker Powell*.

BILL to confirm certain Side Roads in the Township of Vaughan, as the same have been opened out, improved and travelled, and to provide for the manner in which the remaining Side Road allowances, and other boundary lines of Lots in the said Township, shall hereafter be defined.—Mr. *Howland*.

BILL to amend the Act Incorporating the St. Lawrence Mining Company.—Mr. *Dunbar Ross*.

BILL to authorize the new City Gas Company of Montreal, to increase their Capital Stock.—Hon. Mr. *Rose*.

BILL to annex the Rural Municipality of Notre Dame du Portage to the Municipality of Temiscouata.—Mr. *Chapais*.

BILL to Incorporate the Common of Berthier. Mr. *Piché*.

BILL for Incorporating and granting certain powers to the British American Investment Company.—Hon. Mr. *Cayley*.

BILL to restrict interments in a certain Burial Ground in the City of Quebec.—Mr. *Langevin*.

BILL to Incorporate the British American Manufacturing Company.—Mr. *Abbott*.

BILL to provide for the repayment to the United Counties of Northumberland and Durham, of moneys loaned by them to certain Municipalities within the said United Counties.—Mr. *Burton*.

BILLS PASSED THROUGH COMMITTEE.

BILL respecting the Special Provisions of both Houses of the Provincial Parliament.—Hon. Mr. *Cartier*.

BILL to amend the Act incorporating the Montreal Protestant Orphan Asylum.—Hon. Mr. *Rose*.

BILLS READ A SECOND TIME.

BILL to amend "An Act respecting the Municipal Institutions of Upper Canada."—Hon. *J. A. Macdonald*.

BILL to repeal certain provisions of the Common Law Procedure Act.—Hon. *J. A. Macdonald*.

BILL relating to the Port Burwell Harbor Company.—Hon. Mr. *Rose*.

BILL to amend the ninth chapter of the Consolidated Statutes of Canada, intituled "An Act respecting the civilization and enfranchisement of certain Indians."—Hon. *J. A. Macdonald*.

BILL respecting trade with Foreign Countries. Hon. *M. Galt*.

BILL respecting Free Ports of Entry.—Hon. Mr. *Galt*.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

On the motion of Hon. Attorney General CARTIER, the House went into Committee of the Whole on the Bill concerning the Administration of Justice in Lower Canada.—Mr. *Langevin* in the Chair.

The Committee made several amendments to the Bill, and then rose and reported.

COMMITTEE OF SUPPLY.

Hon. Mr. GALT then moved the reception of the report of the Committee of Supply.

The report was received, with the exception of several items, which were referred for consideration to-morrow.

The House then adjourned, at half-past ten.

LEGISLATIVE COUNCIL.

QUEBEC, Wednesday, April 25, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

THIRD READINGS.

The following Bills were read a third time :
To provide for the management of Indian Lands.

To amend the Joint Stock Manufacturing Companies Act.

EXEMPTING ARTICLES FROM SEIZURE.

Hon. Mr. CAMPBELL moved the second reading of the Bill to exempt certain articles from seizure. The object of the Bill was to assimilate the laws of Upper and Lower Canada, by providing that certain articles should be exempted from seizure, either in an execution from the Superior or Lower Courts, which according to the law as it at present stood, could be taken in an execution from the Division Court—or other inferior Courts. The articles he proposed to exempt were comprised in the following schedule :—

1. The bed, bedding and bedsteads in ordinary use by the debtor and his family.
2. The necessary and ordinary wearing apparel of the debtor and his family.
3. One stove and pipe, (or in lieu thereof, one crane, and its appendages, and one pair of andirons,) one set of cooking utensils, one pair of tongs and shovel, one table, six chairs, six knives, six forks, six plates, six teacups, six saucers, one sugar basin, one milk jug, one tea-pot, six spoons, all spinning wheels and weaving looms in domestic use, and ten volumes of books.
4. All necessary fuel, beef, fish, pork, flour and vegetables, actually provided for family use and not more than sufficient for the ordinary consumption of the debtor and his family for thirty days.
5. One cow, four sheep, two hogs, and food therefor, for thirty days.
6. Tools and implements of the debtor's trade, to the value of sixty dollars.

Hon. gentlemen would see that only those things which were necessary for the sustaining of life were exempted.

Hon. Mr. SIMPSON suggested that this Bill might possibly interfere with the Homestead Bill at present in the Lower House.

Hon. Mr. VANKOUGHNET thought it proper that the sense of the House should be taken on the present Bill, in order that it might be known to the Lower House before the Homestead Bill

was passed. He fully approved of the principle that the law on this subject should be the same in Upper and Lower Canada. It would never do to have certain articles exempted on one side of the boundary line, which could be seized on the other side of the line.

Hon. Mr. MOORE supported the passing of the Bill—even if the Homestead Bill was to become law.

Hon. Col. PRINCE supported the second reading. There were many persons who would vote for the present Bill who would not vote for the Homestead Bill.

Hon. Mr. KNOWLTON concurred in the Bill. He considered that Hon. gentleman who brought in the Bill was entitled to a great deal of credit: but he did not think that it went far enough. He thought that the object of the Bill so far from diminishing the chances of the creditor recovering his debt, would give him facilities in so doing. He approved of the assimilation of the laws of both sections of the Province.

The Bill was read a second time.

Hon. Mr. MORRIS suggested that the House should go into Committee of the Whole, on the Bill forthwith.

The House then resolved itself into Committee of the Whole, Hon. Mr. Archambault in the Chair.

Hon. Mr. CAMPBELL moved that in the first line in the third paragraph, the words "in lieu thereof," be struck out, and the word "and" inserted instead thereof.—Carried.

Hon. Mr. VANKOUGHNET moved that after the last word in the same paragraph "one axe, one saw, one gun, and such traps and fishing nets as are in common use" be inserted.—Carried.

On the reading of the fifth clause, Hon. Mr. VANKOUGHNET suggested that farm-houses should also be exempted, but several Hon. gentlemen dissenting, the amendment was not pressed, and in lieu thereof the last clause was amended by adding to the end of it "or chattels ordinarily used in the debtor's occupation."

The Bill was reported as amended and ordered to be printed.

BILLS FROM THE ASSEMBLY.

The following Bills were introduced from the Assembly.

To declare the mode in which the side lines in the Township of Northumberland, Co. Russell, were to be run.

To extend the time in which the Montreal Telegraph Company were to lay a line across the Atlantic.

JUDGE CARON.

Hon. Mr. VANKOUGHNET introduced a memorial from Judge Caron, praying to be heard at the Bar of the House, as to why he should not be restored to his seat in the Council. Some three years ago his seat was declared vacant on account of his not having attended in his place

for four successive Sessions. The memorialist contended that he did not thereby lose his seat, as the reason he had abstained from sitting in the House was his being elevated to the Bench; which action, he contended, did not necessarily cause him to forfeit his seat for ever—but simply rendered it impossible for him to attend in his place, as long as he was acting as Judge.

The memorial was laid on the table and ordered to be considered to-morrow.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, April 25, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to Incorporate the Congregational Ministers' Widows and Orphans Fund Society.—Hon. Mr. *Dorion*.

BILLS READ A THIRD TIME AND PASSED

BILL to amend the Act Incorporating the Montreal Protestant Orphan Asylum.—Hon. Mr. *Rose*.

BILL to repeal certain provisions of the Common Law Procedure Act.—Hon. *J. A. Macdonald*.

BILL to amend the ninth chapter of the Consolidated Statutes of Canada, intitled "An Act respecting the civilization and enfranchisement of certain Indians.—Hon. *J. A. Macdonald*.

BILL respecting Trade with Foreign Countries.—Hon. Mr. *Galt*.

BILL respecting the Special Provision of both Houses of the Provincial Parliament.—Hon. Mr. *Cartier*.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

On the motion of Hon. Atty. Gen. CARTIER, the report of the Committee of the Whole, on the Bill concerning the Administration of Justice in Lower Canada, was read a first time.

On the motion for the second reading, Mr. DUNBAR ROSS moved in amendment that the Bill be referred back for the purpose of expunging the 27th Clause of the Bill which restricts the Writ of *habeas corpus*.

Hon. Atty. Gen. CARTIER contended that the effect of the clause would be the very opposite of that stated in the amendment. It simply provided that if a writ of *habeas corpus* were refused by one judge, it could not be granted by another. There were in Montreal seven, and in Quebec five judges, out of whom the applicant for a writ of *habeas corpus* could select one to whom to apply, but the application could not go the round of all the judges. So far from being an abridgement of the liberties of the subject, this

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, April 25, 1860.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

(Concluded from our last No.)

law allowed him to go to the highest tribunal in the land, the Court of Queen's Bench—a privilege never before enjoyed. There were in Lower Canada eighteen districts, having each one judge, to whom alone application could be made within the District; and in his absence parties were deprived of their rights in regard to the *habeas corpus*. This law provided that, in the absence of the Judge of a particular District, parties residing therein could apply to the neighboring judge, and, if unsuccessful there, they could go at once to either Quebec or Montreal and apply to the Court of Queen's Bench, which sat in each city every alternate month. He had no hesitation in saying that his Bill would increase the facilities for obtaining writs of *habeas corpus*. He had had a long experience in legislation, and he believed that when it had been his duty to explain the law to the House he had never been corrected. Certainly he had never had occasion to borrow from the Hon. member for Lotbinière.

Hon. Mr. DRUMMOND said, the Hon. gentleman had never borrowed of him, but he had stolen. (Laughter.) He had stolen, too, as Gypsies stole children, not for the purpose of bringing them up in decency, but to brand them with dishonor, clothe them with rags, and send them forth upon the world in pauperism.

Hon. Mr. SICOTTE spoke at some length upon the clause under consideration, and was opposed to limiting the privilege of the subject in respect to the *Habeas Corpus* Act. He would therefore move in amendment to the amendment "That the Report be not now received, but be referred back to the Committee of the Whole with power to amend the 27th Clause, by providing to preserve the means and facilities which

now exist to obtain the writs of *habeas corpus*, and also to obtain the advantage of a new application to the Court of Queen's Bench, as provided by the same clause."

Mr. WILSON said, that the 27th Clause, as it stood, would prevent a Judge of the Superior Courts from interfering, where another judge of the same court had given his decision. He considered that the prisoner should have it in his power to apply to all the judges in turn. According to the law of England, an application which was refused in the Queen's Bench, might be made to all the Superior Courts in turn. From its nature, the application was not final—it was merely *ex parte*, and therefore it was allowed to be carried from one Superior Court to the other. He thought it would be a wise provision to extend the jurisdiction of the Queen's Bench all over Lower Canada, and to allow the writs of that court to run all over the country. He considered it a just cause of complaint for a judge of an inferior court to interfere with a decision of the judge of a superior court. But there could be no good reason why the judge of a superior court should not entertain an application which had been refused by one of his brother judges.

Hon. Mr. CARTIER—If the applicant was refused the writ by the Judge, he could apply to the Court of Appeals, and that, too, without cost; so that, in fact, the objections raised to the clause in question were practically neutralized.

Dr. CONNOR said, as he understood the Bill, it proposed to extend the privilege of *habeas corpus* in certain districts and to restrict it in those of Montreal and Quebec. This was an unsound principle to go upon, and he was much surprised that any one in the position of the Attorney General should for a moment contend for it.

The House then divided on the amendment of the Hon. Mr. Sicotte, when there voted—Yeas, 45; Nays, 60.

YEAS:—Messrs. Aikins, Bell, Bourassa, Brown, Bureau, Burwell, Campbell, Clark, Connor, Dorion, Dorland, Drummond, Finlayson, Foley, Gould, Harcourt, Hébert, Howland, Jobin, Laberge, Lafromboise, Langevin, Lemieux, D. A. Macdonald, McDougall, McKellar, Merritt, Mowat, Munro, Notman, Papineau, Patrick, William F. Powell, Dunbar Ross, James Ross, Rymal, Short, Sicotte, Somerville, Stirton, Thibaudeau, Wallbridge, White, Wilson, and Wright—45.

NAYS:—Messrs. Abbott, Archambault, Baby, Beaubien, Benjamin, Buchanan, Burton, John Cameron, Carling, Caron, Atty. Gen. Cartier, Cauchon, Chapais, Cimon, Contlée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dufresne, Dunkin, Fortier, Foster, Fournier, Galt, Gaudet, Gill, Hardywood, Heath, Holmes, Labelle, Lacoste, Laporte, Le Boutillier, Loranger, Loux, Macbeth, Attorney General Macdonald, McCann, Meagher, McMicken, Solicitor General Morin, Onimet, Panet, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, William Scott, Sherwood, Simpson, Sincennes, Tassé, Tett, Turcotte, Webb, and Whitney.—60.

The amendment of Mr. Ross was then put and lost.

The motion was then read a second time.

EAST RIDING OF MIDDLESEX.

Hon. Mr. BROWN moved that Mr. Speaker do issue his warrant for the issue of a writ for the election of one member in the room of the late Mr. Marcus Talbot.

Mr. McBeth thought the motion premature. Several bodies of persons lost on the Hungarian had recently been found, and further discoveries might render the loss of Mr. Talbot certain. At present there was no proof that he was really lost, and a further delay in the election would be gratifying to his constituents.

Hon. Atty. Gen. MACDONALD did not think there was sufficient evidence of the loss of Mr. Talbot, to warrant the issue of a writ for a new election.

Hon. Mr. BROWN said the Hon. gentleman preferred keeping the county unrepresented rather than risk the contest, which he knew would result in the return of an Opposition member.

Hon. Mr. FOLEY said the Government were aware that there had been a re-action in favor of the Opposition, and now there was an opportunity of testing the matter fairly, in a county that had returned a Government member by a majority of four or five hundred, they shrank from the contest.

Hon. Atty. Gen. MACDONALD said he should consent to the motion.

Mr. McGEE said it would be remembered that in a debate which took place towards the close of last Session, some words of unkindness passed between the late Mr. Talbot and himself. He felt it incumbent upon him to say that, when Mr. Talbot was on his way to the seaboard for the purpose of crossing the Atlantic, he chanced

to meet the Hon. gentleman, where mutual explanations took place, which had the effect of removing all unpleasant feeling on the part of each to the other.

The motion was then carried

REPORT OF COMMITTEE ON SUPPLY.

Hon. Mr. GALT moved the second reading of the remaining resolutions adopted in Committee of Supply.

On the item of \$11,500 to meet the expenses of the Montreal and Quebec Police, Mr. BROWN moved in amendment to refer it back to the Committee in order that the same might be struck out, and those Cities be required to support their own police, in the same manner as the Cities and Towns of Upper Canada—namely from local taxation.

The House divided—Yeas, 31; Nays, 67.

On the item of \$15,000 "for expense of Printing and Binding the Laws," Hon. Mr. BROWN moved in amendment, to add the following words, "on condition that the said Printing and Binding not yet executed, be offered to public tender, and be awarded to the lowest competent bidder."

The House divided—Yeas, 35; Nays, 51.

On the item of \$60,000 to Beauport Asylum, at Quebec, Hon. Mr. BROWN moved, an amendment, that the payment of this sum be postponed until the Managers of the Institutions have made a return of the large sums of money which have been contributed for its maintenance, no such returns having been made for many years.

Lost on a Division.

On the item of \$20,000 towards the holding of a great Exhibition of the products of Canadian Industry, in 1860, Mr. McDougall moved in amendment, that the item be referred back to the Committee, with instructions to divide the sum and appropriate one-half to the Exhibition in Montreal, and the other half to a similar Exhibition in Upper Canada.

The House divided—Yeas, 23; Nays, 47.

BILLS READ A SECOND TIME.

BILL to Incorporate the *Canada Central Railway Company*—Mr. W. F. Powell.

BILL to amend the Act, 33 Vic. chap. 59, concerning the thirty-six mile and Indian Line Road, and to extend the provisions thereof—Mr. Aikins.

BILL to confer certain powers upon the Local Municipalities of *Grantham, Wendover and Simpson*, in the County of *Drummond*, in respect of the Bridge over the River St. Francis—Mr. Dunkin.

BILL to revive and extend the Charter of the *St. Lawrence Inland Marine Insurance Company*—Mr. Patrick.

BILL to amend and extend the Act incorporating the *Carrillon and Grenville Railway Company*—Mr. Abbott.

BILL to amend the Act 10 and 11, Vic. Cap. 68, intituled "An Act to incorporate the *Montreal Mining Company*"—Mr. Abbott.

BILL to detach certain parts of the Township of *Chicoutimi* and *Bagog*, and annex them to the Municipality of *le Terrière*—Mr. *Price*.

BILL to alter and amend the Act passed in the 20th year of Her Majesty's Reign, intitled "An Act for the construction of Water Works in the City of *Hamilton*"—Mr. *Buchanan*.

BILL to provide for the election of Officers and Directors of the County of *Missisquoi* Agricultural Society, for the year 1860 (from Legislative Council)—Mr. *Whitney*.

The House then adjourned, at 12.40.

LEGISLATIVE COUNCIL.

(CORRECTION.—In the 31st No. of the MIRROR the following occurs: "Hon. Mr. PATTON moved an amendment, to the effect that the wife should receive her Dower out of the value of the land as it was when the husband bought it,—not as it stood when Dower was claimed." For "NOTHING," read "SOLD.")

QUEBEC, Thursday, April 26, 1860.

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

DIVISION OF SANDWICH.

Hon. Col. PRINCE introduced a Bill to divide the Township of Sandwich in the County of Essex into two Municipalities.

The Bill was read a first time

REPLEVIN.

Hon. Mr. PATTON introduced a Bill to repeal a certain provision in the Act relating to Replevin.

The Bill was read a first time.

THIRD READINGS.

The following Bills were read a third time:

BILL to Incorporate the Village of Ste. Anne de St. Jacques de l'achigan.—Sir E. P. Taché

BILL to Incorporate the College of Three Rivers. Sir E. P. Taché.

BILL to amend the Railroad Act.—Hon. Mr. Alexander.

BILL respecting Foreign Insurance Companies. Hon. Mr. Patton.

BILL respecting the exemption from seizure of certain effects.—Hon. Mr. Patton.

PAPER MAKING.

Hon. Mr. ALLAN presented the report of the Committee on the Bill to grant letter patent to Mr. Newton, for the making of paper out of the fibres of wood and out of flax. In moving for the adoption of the report, the Hon. gentleman thought it right to mention that the Committee had not been unanimous in making the report, as it had transpired in Committee that already some manufactories of the sort were talked of as about to be erected in the country—from drawings procured from Washington, where the invention was patented. But in view of the good that it would accrue to the country by the introduction of manufacturers—and in view of the fact that no man in his opinion, had a right to make use of the work of another's brains without paying for it, he thought that the patent ought to be granted.

Hon. Mr. TESSIER suggested that the report should not be received immediately, as he was aware of some manufactories where part of the patent was already used—and it would be a manifest injustice to grant the patent asked for. He was aware that the proprietors of those manufactories intended to appeal to the House against the granting of the patent, if time were given.

Hon. Mr. CAMPBELL was one of the Committee who had opposed the Bill in Committee. He did so because information had been laid before the Committee, showing that the person who applied for the patent was not the inventor of the machine, but that he had bought it on a speculation. Moreover, it was stated that several persons were about to construct manufactories in Upper Canada involving an outlay of many thousand pounds, for the purpose set forth in the Bill—while, as the House had just heard, similar manufactories were about to be erected in Lower Canada. He did not think the present was a case in which a patent could be granted.

Hon. Mr. VANKOUGHNET contented himself by declaring the opinion he always expressed on this and similar applications. He was opposed to them. He did not care one way or the other, as to the delay asked for.

Hon. Mr. ALLAN would postpone his motion if the House wished.

Hon. Col. PRINCE hoped that no delay would occur in the adoption of the report. He took a different view of the subject from the Hon. gentlemen on the other side of the House.

Hon. Mr. PATTON also concurred in the expression that there should be no delay.

The report was then adopted on a Division of 22 to 16.

JUDGE CARON.

Hon. Mr. VANKOUGHNET moved the reading of the memorial of Judge Caron; and on the memorial being read, the Hon. gentleman went on to say, that the memorialist had announced his intention not to ask to be heard at the Bar of the House on the subject of being restored to his seat in the Council, either personally or by Counsel. He would move therefore, that the memorial be referred to a Special Committee of legal gentlemen, in order that precedents on the subject might be reported to the House, which would guide the decision of the Privilege Committee—which was a Committee of the Whole, when the report of the Special Committee was presented. He would move Hon. Messrs. Taché, Morris, Tessier, Patton and the mover as the Special Committee.

Hon. Mr. DEBLAQUIERE thought that this was a most serious subject, and prayed the Hon. Commissioner of Crown Lands to give it his serious consideration. It established a dangerous precedent, and, in his opinion, it was contrary to the action of the House on a former occasion. If this memorial was concurred in, there could be no reason why the Hon. Dennis Vessey, who had lost his seat for not having attended in his place for two successive years, or obtained the leave of the Governor General, should not also be

allowed to return to his seat. The memorialist, Judge Caron, had left the Council to go on the Bench, and he put it to the House to say could he be allowed again to take his seat without establishing a precedent that the accepting of a Judgeship by a member of the Council has not a vacation of his seat in the Council?

Hon. Mr. MOORE thought the best plan would be to refer the matter to a Special Committee, prior to referring it to the Committee on Privileges. There was a difference of opinion between the case alluded to by his Hon. friend and that of Judge Caron. The former had no leave to absent himself from the House. The latter contended that he had implied leave from Her Majesty in the fact of his appointment. The question was a legal and constitutional one, and ought to be investigated by legal gentlemen.

Hon. Mr. VANKOUGHNET contended that as this was a purely personal question, if Judge Caron wished it, he would have moved that he be heard at the Bar of this House, in accordance with the practice in the House of Lords. But as that gentleman did not wish to be heard at the Bar of the House, the question was one of those that ought to be referred to a Special Committee of legal gentlemen as he before stated. His opinion was, at the present, that however right or wrong the House might be in unseating the gentleman, it would be found on enquiry that the decision of the House had been final, and that the proper course would be an appeal from that decision to the Privy Council. (Hear, hear.)

Hon. Col. PRINCE concurred in the course which the Hon. Commissioner of Crown Lands proposed—as it was a clear question of privilege. At the same time he must say that he could not see any good reason why the Council should not have the benefit of the opinion of the Judges of the land—as was the practice in the House of Lords. The memorial was then referred to a Special Committee, composed of Hon. Messrs. *Morris, Taché, Tessier, Patton* and the mover.

ATTORNEYS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill relative to the admission of Attorneys. In introducing this Bill, which originated in the Legislative Assembly, the Hon. gentleman took occasion to remark on the great error committed in sending youths to study the law too soon. He considered the age of four-and-twenty soon enough for any person to be entered as a Barrister or Attorney. It might be the fault of the parents in sending their sons at too early an age to this study,—or might be the fault of the young persons themselves; but, wherever it arose, it was a great indiscretion. The object of the Bill was to remedy the evil, by providing that every articled Clerk should serve five years before being admitted as an Attorney,—unless at the time of his being articled he had a degree from some of the Universities conferred upon him. According to the present system, a person might be going through the University for his degree and his law studies at the same time, and his time would count as if he had in

the first place taken out his degree. By the present Bill the young man would be forced to go through his full scholastic studies before turning his attention to the law—a course which would prove of the greatest benefit to him, and which he could not very well go through when once engaged in legal studies. A similar provision was made as regards students-of-law.

The Bill was read a second time.

SECOND READING OF BILLS FROM THE ASSEMBLY.

The following Bills from the Legislative Assembly were also read a second time:

Bill to transfer Causes from County Courts.

—Hon. Mr. *Vankoughnet*.

Bill relative to Law Society of Upper Canada.

—Hon. Mr. *Vankoughnet*.

Bill relative to Barristers-at-law.—Hon. Mr. *Vankoughnet*.

Bill relative to Concession line of Cumberland.—Hon. Mr. *Seymour*.

Bill relative to the Montreal Telegraph Company.—Hon. Mr. *Ferrier*.

Bill relative to Navigation Company of Chambly.—Hon. Mr. *Campbell*.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, April 26, 1860.

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

BILL INTRODUCED AND READ A FIRST TIME.

Bill to amend the Act incorporating the Preston and Berlin Railway.—Hon. Mr. *Foley*.

WELLAND CANAL.

The first Order was the further consideration of Hon. Mr. *Merritt's* proposed motion for an Address to His Excellency, on the subject of the Welland Canal.

The motion was agreed to.

SUBSTITUTION OF AFFIRMATION FOR OATH.

Mr. CLARK moved the House into Committee of the Whole on the Bill to amend the Law respecting the substitution of Affirmation for Oath.

Hon. Atty. Gen. MACDONALD said, this Bill was for the purpose of abolishing Oaths altogether, and substituting Affirmations in their stead. It was allowable at present, if a person had religious scruples against oaths to admit their affirmation instead, but this Bill went further, and would allow any unscrupulous person, either in a criminal or civil case, to make a statement to a jury without feeling under any obligation to tell the truth. It was of the greatest importance that the distinction between oaths and affirmations should be maintained. The superstitious regard for a solemn oath was often the only check that remained on a profligate or unscrupulous persons. There were many persons dishonest and unreliable in their general dealings, who would yet hesitate to make a false as-

sation when they called on God to witness that they told the truth. Such a superstition was most salutary in its influence and formed a restraint upon a large class of persons who would not scruple to make false deposition if the only consequence of discovery were the punishment for perjury. This Bill could do no good and he was very strongly opposed to it.

Hon. Atty. Gen. CARTIER repeated, in French, the objections of the Government to the Bill.

Hon. Mr. LORANGER also spoke against the Bill.

Hon. Mr. MOWAT expressed his astonishment that so beneficial and important a change should be opposed by the Government. They were not surprised to find certain old-fashioned prejudices existing in an old country like England, but it was somewhat extraordinary to see the chief officers of the Crown, in a country like this, giving expression to such prejudiced views as those which they had heard from Attorney Generals East and West. The objections which had been urged to the Bill were neither more nor less than those which they had heard over and over again, when a relaxation of the law in this respect was first obtained. The fears then expressed had proved entirely groundless. They had not found, either here or elsewhere, that the change had worked any evil, or that there had been any demand to revert to the old state of things. The existing law was not founded on anything like principle. Certain sects only were privileged to affirm; while it was notorious that there were individuals belonging to all religious denominations who had scruples to taking an oath under all circumstances.

Hon. Attorney General MACDONALD—There is no evidence of that before the House.

Hon. Mr. MOWAT said, it was not usual to take evidence or to institute an inquiry before a Committee in a matter of this character. He could not, however, suppose that the Attorney General West, was ignorant of the fact he had stated. There was not a single Protestant religion in which persons could not be found who had these scruples; and the Legislature had no more right to disregard their scruples than the scruples of Quakers, and it was clearly an infringement on their conscientious rights to oblige them to swear against their will. The present law entirely disregarded the scruples of honest men for the sake of a supposed advantage over dishonest or superstitious persons. But a liar out of doors was very likely to be a liar in court also, and a man who was reliable in his general assertions would be reliable in court also. The Bill was substantially the same as one clause of the English common law procedure Act of 1854. It had worked well in England, and why should Canada not avail herself of it? It had been said that persons would say they had scruples merely to avoid the obligation of the oath. But could not persons also say they were Quakers, or Trunkers, for the same purpose? In both cases the statement would be open to question. He had no doubt the Bill would work satisfactorily.

Hon. Mr. SHERWOOD queried whether the Hon. gentleman could show that any case of real hardship had taken place under our law in regard to oaths. It did not follow, as he had said, that a liar out of court would be a liar in court; and, indeed, it was known that notorious liars generally entertained a superstitious veneration for an oath, and when they came under its obligation told the truth. He had also affirmed that the Bill was a copy of the English law; but was that any reason why we should adopt it? Surely this did not follow. The Quakers had religious scruples against taking oaths at all, and these scruples should be respected; but where no such reason was offered the relaxation of the law would be attended with very serious consequences, for many a man who has no conscientious objection to take an oath would say he had, in order to escape the necessity it imposed upon him of telling the truth. The law had worked well, and, until better reasons than had been given were adduced, he would oppose any alteration in it.

Mr. WILSON said that the sanctity and obligations of oaths were just what men's religious convictions made them, and that the particular forms in which they should be administered were to be those which accorded with such convictions. He then described the mode of putting the oath in various countries, that of China being the cracking of a saucer; and in his opinion a solemn affirmation in the presence of God was sufficient, where the party considered that to bind him to tell the truth. He was surprised at the constant opposition of the Attorney General West to law reforms which were very urgently required.

Hon. Mr. DRUMMOND said, it did not necessarily follow that because a law was found beneficial in England it must immediately be adopted in Canada. He was not satisfied, however, that this law had worked satisfactorily even in England. He thought the effect of the Bill would be to encourage the crime of perjury, which was already alarmingly prevalent. The English law allowed a person to take an oath in any form he wished; but still it must be an oath, so that privilege formed no argument in favor of the Bill. He should feel obliged to vote against this measure.

Mr. CLARK said that since the introduction of the Bill he had received letters from various parties, members of almost all denominations, who agreed with him that the religious scruples of all were alike entitled to consideration in regard to abstaining from the oath.

Hon. Attorney General MACDONALD moved in amendment, that the House will this day three months resolve itself into Committee thereon.

The House then divided on the amendment—
Yeas 70. Nays 34.

YEAS:—Messrs. Archambault, Baby, Beaulieu, Benjamin, Bourassa, Burton, John Cameron, Campbell, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Cook, Coutlée, Daoust, Désaulniers, Dionne, Dorion, Drummond, Dufresne, Dunkin, Ferres, Fortier, Four-

nier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Jobin, Labelle, Laframboise, Langevin, Laporte, LeBoutillier, Lemieux, Loranger, Loux, Macbeth, Attorney General McDonald, Mattice, McCann, McGee, McMicken, Meagher, Solicitor General Morin, Ouimet, Panet, Papineau, Playfair, Price, Robinson, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, Sicotte, Simpson, Tassé, Tett, Thibaudeau, Turcotte, Webb, Whitney.—70.

NAYS:—Messrs. Aikens, Bell, Biggar, Brown, Burwell, Malcolm Cammeron, Clark, Connor, Daly, Dorland, Ferguson, Finlayson, Foley, Gould, Harcourt, Howland, Donald A. MacDonald, McDougall, McKellar, Mowatt, Munro, Notman, Patrick, Walker Powell, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Wallbridge, White, Wilson, Wright.—34.

THE FOLLOWING ORDERS WERE DISCHARGED.

BILL to amend the Act respecting Telegraph Companies.—Mr. *D. Ross*.

BILL to provide for an enquiry into the loss of any ship or steam vessel carrying passengers from Europe or elsewhere to this Province.—Mr. *D. Ross*.

BILL to regulate the proceedings of gas companies in Upper Canada, and for the inspection of gas and gas meters therein.—Dr. *Connor*.

BILL to render valid certain final orders of the Judges or Commissioners of the Insolvent Courts in Upper Canada.—Mr. *Benjamin*.

BILL to secure the wages of workmen and mechanics in all cases.

BILL to provide a better mode for the shipping of seamen in the Port of Quebec.

PREVENTION OF BRIBERY AND CORRUPTION AT ELECTIONS.

Mr. *GOWAN* moved the House into Committee on the Bill for the more effectual prevention of corrupt practices at elections, and to prevent frauds in voters lists and punish bribery and other corrupt practices at Elections.

Hon. Atty. Gen. *CARTIER* rose to the principle of the Bill; but was of opinion that the third section went too far in providing for the trial and conviction of candidates by a jury of twelve instead of a Committee of the House. A jury could not but be influenced by more or less by political considerations, and the candidates might be unfairly judged in consequence.

Mr. *McDOUGALL* explained and defended the Bill.

Hon. Mr. *LORANGER* was surprised and sorry to hear the hon. Attorney General East pronounce himself so strongly against a Bill which was confessedly in the interests of public morality and order. The principle of the Bill was admitted, even by the Hon. gentleman himself, to be sound; and yet it seemed likely he would use his great influence to kill it off. Surely, if some of the details were bad, it was competent for the Committee to amend them and to make it unexceptionable; and he yet hoped the Hon. Premier would consent to admit the possibility of making it so. (The Hon.

member then read the Bill clause by clause, and as he proceeded demanded what objections could be urged against them.)

Hon. Mr. *DRUMMOND* thought the Bill admirably adapted to prevent as far as was possible by legislation all acts of bribery and corruption, either direct or indirect. He believed the effect of the declaration required of the candidates would be most beneficial, and he entirely approved of the Bill, both in its general principles and in its details.

Mr. *WILSON* answered the objections of the Hon. Atty. Gen. *CARTIER*, and expressed himself wholly in favor of the Bill.

Hon. Atty.-Gen. *CARTIER* had no objection to the declaration by members on entering the House, but he did object to have it made by the candidate prior to his election. The candidate ought not to be made responsible for what might be done by his agents during the election.

Hon. Mr. *FOLEY* said that was no objection to the declaration, because the candidate was not amenable for acts done by unauthorized agents.

Hon. Mr. *CAUCHON* wished a re-consideration of the clauses relating to the declaration, but was otherwise in favor of the Bill.

Hon. Atty.-Gen. *MACDONALD* denounced the proposition regarding a declaration as false in principle and false in practice. But it was not a new suggestion. It had been again and again discussed in the English Parliament, and had been uniformly unsuccessful, Sir Robert Peel, Lord John Russell, and men of equal ability having always opposed it. The effect of such a measure would be to intimidate the most intellectual and worthy men, and prevent them from coming forward, while it would encourage the more hardy and unscrupulous. The consequence would be that politics would become a trade. The most innocent man might be charged by malicious parties with bribery, and unjustly branded for life with the suspicion of the crime. The mode of trial would destroy the independence of the House, and render the position of every Hon. member uncomfortable as long as he remained in the House. The remaining clauses of the Bill were of so beneficial a character that they might be adopted at once, but the first three clauses, he thought, should stand over for consideration.

Hon. Mr. *DRUMMOND* contended that under the present law there were even greater facilities for false accusations than there would be under the proposed Bill. Indeed, all the objections urged were more applicable to the law as it stood, than to the system the Bill would introduce.

Mr. *LORANGER* believed that no honest candidate would object to subscribe to the required declaration, because the very same provision would protect him from the competition of dishonest candidates. The three clauses relating to the declaration formed the most important part of the Bill, which, indeed, would amount to nothing if they were omitted.

Dr. CONNOR said it was not denied, even by the Hon. Atty.-Gen. West, that bribery and corruption took place under the present law, and there was therefore the more urgent necessity for the application of the remedy proposed.

Mr. GOWAN proposed to change the Bill by striking out that part which deprived the candidate accused of bribery of his seat in Parliament. He would also add a clause to provide that the declaration be not taken at the time of nomination, but after the election, and before taking his seat in Parliament.

Hon. ATTY.-GEN. WEST thought it better that the Bill should be considered in its present form.

Hon. Mr. BROWN said the argument of the Hon. Atty.-Gen. West against the Bill had been based on the practice in England, but it was well known that the English law was insufficient to prevent bribery and corruption, and instead of copying it we ought to improve upon it.

Mr. FERRES moved that the Committee rise, report progress and ask leave to sit again.

The division on the motion was a tie—34 to 34. The Chairman then gave his casting vote in favor of the motion, and the Committee accordingly rose.

On the question when the House should sit again,

Hon. Mr. BROWN moved that it should sit again forthwith.

The House divided—Yeas, 45, Nays, 34.

The House accordingly again went into Committee. The various clauses were gone through, and several amendments made thereto.

The House adjourned at 1.40.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, April 27, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

FIRST READINGS.

The following Bills were introduced and read a first time:

BILL relative to the Northern Railroad.—Hon. Mr. Patton.

BILL relative to small penalties.—Hon. Mr. Patton.

BILL to extend and amend Cap. 89 of the Consolidated Statutes of Canada, relative to the Ashburton Treaty.—Hon. Col. Prince.

BILL respecting certain Ordnance Reserves in Upper Canada.—Hon. Mr. Vankoughnet.

THIRD READINGS.

The following Bills, on the orders of the day, were read a third time:

BILL to remove causes from County Courts.—Hon. Mr. Vankoughnet.

BILL respecting Attornies-at-law.—Hon. Mr. Vankoughnet.

BILL respecting Barristers-at-law.—Hon. Mr. Vankoughnet.

BILL respecting the Law Society of Upper Canada.—Hon. Mr. Vankoughnet.

BILL to amend the Act Incorporating the Metropolitan Gas and Water Company.—Hon. Mr. Allan.

BILL to extend the time of the Montreal and Atlantic Telegraph Company.—Hon. Mr. Ferrier.

PAPER MAKING.

On motion for the third reading of the Bill to confer Letter Patent on Mr. Newton, for a new method of making paper,

Hon. Mr. TESSIER again prayed for the postponement of the third reading, on the ground that the invention was already used in several manufactories in Lower Canada. The persons carrying on those manufactories desired time to appeal to the House against the injustice of the measure.

Hon. Mr. ALLAN—If the House would allow him, would move an amendment to the Bill to the effect that, the conferring of the Patent on Mr. Newton should not interfere with any manufactories in which the invention should be used, before the Royal assent should be given to the Bill.

Hon. Mr. VANKOUGHNET hoped that this amendment would be withdrawn. It could serve no good purpose. If the invention was already in use, according to the patent laws of this or any other country, no patent for it could be obtained. The proper amendment, in his opinion, would be to move for the third reading this day three months. The object of the Bill seemed to be to introduce a Bill to over-ride the Patent laws.

Hon. Mr. DEBLAQUIERE spoke against the third reading of the Bill on the ground already stated.

Hon. Col. PRINCE supported the third reading of the Bill.

Hon. Mr. FERGUSON, although at first in favor of the Bill, thought that it would now be a great act of injustice to pass the Bill.

Hon. Mr. ALLAN said, that it was understood when the Bill was in Committee, that the Bill should not interfere with vested rights. The Bill should only, it was determined, take effect from the time of the Governor General's assent to it.

Hon. Mr. ALEXANDER thought that the House would be doing an act of injustice in conferring by Act of Parliament on any person power to do anything exclusively which was already common to the people of the country.

Hon. Mr. TESSIER moved that the Bill should be referred back to the Committee, in order that the parties interested might have an opportunity of being heard. One of the persons had stated that he could bring a specimen of paper already made by the process for which it was proposed to grant a patent.

Hon. Mr. ALLAN would not oppose the referring of the Bill back to Committee.

Hon. Mr. PATTON thought no good could be gained by referring the Bill back to Committee. The gentlemen of the Committee and of the House had made up their minds as to the Bill.

The amendment to refer the Bill back to Committee was then put and carried, on a division.

COMMON LAW PROCEDURE ACT.

The Bill (from the Assembly) to amend the Common Law Procedure Act, was read a second time.

Hon. Mr. VANKOUGHNET moved the House into Committee of the Whole to consider the Bill. The House then resolved itself into Committee of the Whole, Hon. Mr. Alexander in the Chair, and reported the Bill without amendment.

INDIAN CIVILIZATION LAW.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to amend the Indian Civilization Law Act, which was framed to restrict the sale of intoxicating liquor to Indians.

The House resolved itself into Committee of the Whole on the Bill—Hon. Mr. McDonald in the Chair.

Hon. Mr. VANKOUGHNET moved an amendment to effect—that the provision of the Act should be extended to both Upper and Lower Canada, as it was originally framed.

The amendment was concurred in and the Bill ordered for a third reading on Monday.

MEMBER'S INDEMNITY.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill (from the Assembly) to explain the Act relative to the Indemnity to be paid to members. The object of the Bill was to provide that the members should receive their daily allowance during the holidays and on other occasions.

The Bill was read a second time and referred to a Committee of the Whole—Hon. Mr. Allan in the Chair—from which it was reported without amendment.

FOREIGN TRADE.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill (from the Assembly) relative to Trade with Foreign Countries. The Hon. gentleman explained the object of the Bill which was to create a foreign trade for Canada, especially with France, by reducing the duty on articles imported from that country. This course was necessitated by the action of the Imperial Government in leaving Canada to the entire control of her own affairs. As an experiment—if it were for nothing else, the project was worth trying.

Hon. Mr. ALEXANDER said, that it was a source of evil to the country that its imports exceeded the exports—and the present Bill would encourage that evil. He considered that the country would be all the better without the introduction of the luxuries which the Bill before the House proposed to reduce the duty on.

Hon. Mr. VANKOUGHNET spoke in favor of having good liquors in the country if any at all. Brandy was one of the articles on which it was proposed to reduce the duty. The effect of this, he thought, would not be to increase the consumption of that article so much as to introduce into the country a better article than was at present procurable. He believed that the greater number of the deaths which occurred from drinking did not occur so much from the quantity drank, as from the quality. (Hear, hear.)

The Bill was read a second time, and referred to a Committee of the Whole, from which it was reported without amendment.

INTERMENT RESTRICTION.

Hon. Mr. TESSIER moved the second reading of the Bill to restrict interment in certain places in the City of Quebec.

The Bill was read a second time, and referred to a Special Committee.

REPLEVIN.

Hon. Mr. PATTON moved the second reading of the Bill to amend the Law of Replevin. The object of the Bill was to allow Writs of Replevin to issue on cases arising in the Division Courts.

The Bill was read a second time, and referred to a Special Committee.

DIVISION LINE BETWEEN UPPER CANADA AND LOWER CANADA.

Hon. Mr. VANKOUGHNET moved that the House should take into consideration the Bill to establish the Division line between Upper and Lower Canada as amended by the Special Committee. The Hon. gentleman hoped that this vexed question, which had been an open one for the last seventy years, would be at last definitely settled, and that those persons living on each side of the line should know their respective rights by being made aware of which section of the Province their rights lay in. If he thought that this Bill would in any way tend to plunge a section of the Province into litigation, he would at once drop it; but it was to settle forever conflicting claims that the Bill was framed, and he hoped that it would meet with the favorable consideration of the House.

Hon. Mr. DÈBEAUGEU opposed the Bill on the ground that it would interfere with existing rights, and moved, in amendment, That the Report is not now received; but that it be referred back to the Committee, with instructions to amend the same so as to have the Provincial line between New Longueuil and the Township of Lancaster established according to the *arrêt du conseil supérieur de Québec* of the 11th May, 1676, as it was drawn by L. St. Germaine, Surveyor, as it appears by his *procès verbal* of the 28th September, 1798,—and according to the instructions of the present Government to E. F. Fletcher, Esq., P. L. S., bearing date 14th Dec., 1858.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, April 27, 1860.

DIVISION LINE BETWEEN UPPER CANADA
AND LOWER CANADA.

(Concluded from our last No.)

Hon. Mr. VANKOUGHNET was opposed to the amendment. In laying down the Division line great care was taken to preserve the rights of residents on both sides of the line, and in his opinion no better line could be laid down.

The House divided on the amendment, which was lost on a Division.

Hon. Mr. TESSIER then moved an amendment, to the effect that, in the rights of property, an appeal should lie, from the decision of the Commissioners appointed to determine the Line, to the Queen's Bench of Lower Canada.

The amendment was lost on a Division.

Hon. Mr. DEBEAUJEU moved another amendment, to the effect that the Bill interfered with private rights, namely, with those of the Seigneur of New Longueuil, and that therefore the said proprietor of New Longueuil be heard at the Bar of the House in defence of his rights.

The amendment was put, and lost on a division.

GRAVEL ROADS.

Hon. Mr. SIMPSON moved the second reading of the Bill to "provide for the payment by certain Municipalities in the United Counties of Northumberland and Durham in which certain Gravel Roads have been constructed by the said United Counties of a fair amount for the construction of such Roads, and to vest the Roads in said Municipalities."

The Bill was read a second time, and referred to a Special Committee.

ST. LAWRENCE MINING COMPANY.

Hon. Mr. TESSIER moved the second reading of the Bill to amend the Act Incorporating the St. Lawrence Mining Company.

The Bill was read a second time, and referred to a Special Committee.

BILLS FROM THE ASSEMBLY READ A
FIRST TIME.

The following Bills were introduced from the the Assembly, and read a first time.

Bill respecting Land Surveyors.

Bill to authorize the Corporation of Montreal to acquire a site on which to erect a Terminus for the Grand Trunk Railroad.

Bill to authorize the new City Gas Company of Montreal to increase their Stock.

Bill to Incorporate the Melbourne Female Seminary.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, April 27, 1860.

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

ADDITIONAL SITTINGS.

Hon. Mr. CARTIER moved, that for the remainder of the Session the House do meet on every Wednesday and Friday, and after next Tuesday on every Tuesday at 11 o'clock, A. M., and adjourn at 1 o'clock, P. M.; and that an other sitting (as if on another day) be held on the same day, to commence at 4 o'clock, P. M.; but that the Sessional Orders, relating to the description and order of business for each of the said days, do apply to both sittings.—Carried.

Mr. AIKENS moved that the House sit on Saturdays (after to-morrow) from eleven till one o'clock for the despatch of business in the hands of private members.

Mr. DUNKIN moved in amendment, that all the words after "till" be expunged, and the following substituted: "three, P. M.; private Bills to be taken up immediately after routine business until noon, and public orders in the hands of private members to follow."

The House divided on the amendment. Yeas 52; Nays 39.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL (from Legislative Council) respecting the 96th chapter of Consolidated Statutes of Upper Canada.—Hon. J. A. Macdonald.

BILL (from Legislative Council) to amend the Act respecting Joint Stock Companies for Manufacturing and other purposes.—Mr. Roblin.

BILL (from Legislative Council) to amend the 10th section of the 56th chapter of Consolidated Statutes of Upper Canada.—Hon. Mr. Macdonald.

COMMITTEE OF SUPPLY.

Hon. Mr. GALT moved the House again into Committee of Supply.

Hon. Mr. BROWN moved in amendment "that it be resolved that it is the undoubted privilege of this House, and the highest security of the rights and privileges of the people, that no expenditure of the public money should be made by the Executive until the sanction of the House has been first obtained; but the House regrets to find that, in defiance of this Constitutional safeguard, the sum of \$401,122 was taken from the public chest in the year 1859, and expended in various public services, on the sole responsibility of the Executive and without any sanction from the Representatives of the People." He said it had become the practice of the Government to spend money just as they thought proper during the recess, and then to ask the House to vote them a grant for the expenditure. It was a system that the Hon. Finance Minister, when on the Opposition side, had condemned as strongly as he (Mr. Brown) condemned it now. The Government had seen fit to advance \$60,000 to the Montreal Harbor Commissioners, upon the security of some Dredges and other Stock upon which it was doubtful whether they had the power to give a mortgage. That sum was probably intended as a gift. He believed the arrangements were made while the Parliament was sitting, and that they only waited the rising of the House to grant the money. If that were true, and if it was intended to apply to Parliament to confirm the gift, then the case was even worse than his motion had set forth. If such a principle were admitted, there would be no limit to the amount that might be granted. Six millions dollars might be expended with the same impunity as sixty thousand. In all cases the only proper way was to ask the sanction of the House before making any expenditure. Under the present system, when the question came before the House, it would not be whether it was or was not right to make such and such an expenditure; but the matter resolved itself into a question of confidence, or non-confidence, in the Administration. In regard to the transaction with Mr. Baby, we found that the Government first purchased the steamboats, and then asked the House to grant the money after the contract was complete. When the House complained of the transaction, it was too late to consider the matter. They could not turn out the Government, and therefore had to endorse its contracts; but it was a mockery to say that such expendi-

tures were subject to the sanction of Parliament. He objected to the sum of \$45,000 charged in the public accounts for contingencies. It would seem as if the House had lost all control over the expenditures of the public money. The Government took upon itself to appropriate \$7,000 to the Institution at Malden and the House was never consulted about it. In this and many other items there was an alarming looseness apparent in the conduct of this Department. The Hon. Minister of Finance talked about great savings in the estimates,—but they were savings in the estimates alone. Nothing could be more injurious to the public service than the continuance of such a system. (Hear, hear.)

Hon. Mr. GALT said, that with reference to the item's alluded to by the Hon. member, the Government had pursued the only course open to them, and that they were perfectly justified in doing what they had done. The advance to the Harbor Commissioners of Montreal had been made upon legal security worth over £50,000, and it was to be observed that it was for the purpose of continuing, not a local work, but one of a public nature, and the completion of which could not be delayed. The Province had expended £100,000 in deepening Lake St. Peter, and had abandoned the undertaking. It had then been taken up by the Harbor Commissioners of Montreal, who had been allowed to levy a tax on the trade of their port to pay the cost. They had succeeded in deepening the channel from 11 feet to 18 feet 6 inches, and the cost of freight had thereby been materially reduced. Well their borrowing power was exhausted and they had to procure money on the security of their plant, and the Government, looking to the nature and importance of the work in a public point of view, did not think they would be justified in compelling the Commissioners to go and borrow at 8 or 10 per cent, so they had advanced them the sum of \$60,000, as he had before said, on the most undoubted security, fully convinced that Parliament would bear them out. The next item objected to was the sum appropriated for the Tug-boats from Mr. Baby. Now the House knew that there existed a contract with that gentleman, by which he was to receive \$54,000 a year for the services rendered by his steamers, and it would be within the memory of many of the Hon. members that the member for Toronto, no farther back than last Session, had loudly exclaimed against this arrangement, and said it would be better to sacrifice the sum four times over, than to continue it. Well the Government had put an end to the contract at one-fourth of the cost proposed by the Hon. member, and with the permission of the House only did they propose to pay the remaining £23,000. The Boats had cost over £90,000, and as it was well known they were very fine vessels, extremely well found, and no one disputed that if they were brought under the hammer to-morrow, they would bring more than had been paid for them. It would be for the House to say if this should be done, and if it was, the result would be, that we had got

rid of the payment of £13,000 a year for 7 years, without any loss whatever. However this was not the proper time to discuss that point, but when the Estimates of the Commissioner of Public Works were brought down. So much for two of the items in question. Then the Hon. member had said that the Government should know what the expenditure of the year would be, and he (Mr. Galt) admitted that they should take all proper means of ascertaining as nearly as possible, what the year's expenditure would be, but the Hon. member had gone further, and maintained that if the expenditure through unforeseen circumstances exceeded the Estimates, the excess should remain unpaid until Parliament met. Well, he would meet that, and ask the Hon. member if upon the first item in excess, viz.: the \$56,000 of unprovided expenses of the Civil Government, this could be done? If the Hon. member would refer to the Estimates of last year, he would find that it was then expected that a larger sum than that voted would be spent. Would it be proper after receiving the services of three or four hundred clerks, who required their pay from month to month, to tell them they could not get it, and must go and seek accommodation as best they could, and after tradesmen had furnished supplies and performed their work, were they to be told that they must wait?

Hon. Mr. BROWN—Undoubtedly it should be done.

Hon. Mr. GALT—Did the Hon. member really mean to say so? Well, he would see if that would hold water. The next items were the Penitentiary, the Reformatories and the Prison Inspection expenses. Did the Hon. member assert that the daily wants of these Institutions could be supplied without money, and that they could be put off?

Hon. Mr. BROWN—He did, and they had once stood over for a whole year.

Hon. Mr. GALT—Supposing it could be done, he would ask at what cost? Was it to be supposed that supplies would be furnished under such circumstances at any but much enhanced prices? The item next in order the Hon. member had passed over, viz.: that for Legislation, and whose fault was it that this exceeded the Estimates by \$12,740. He did not say there was any fault in the matter, for the Legislature was the proper judge of what its expenses should be.

Hon. Mr. BROWN—It was the fault of the majority.

Hon. Mr. GALT rather thought it was that of the Opposition, however, he was happy to find that there was no unnecessary delay this Session, but he would ask whether the Hon. member would consider it right that their contingent expenses should remain unpaid? Then there was \$20,000 for Hospitals and other charities, the whole of which sum was spent in Upper Canada, on the Lunatic Asylums at Toronto and Malden, and he was sure that if there was a duty obligatory to the Government, it was to see that these unfortunate persons should be cared for. But if the doctrine of the Hon. member

prevailed, these poor people must be sent adrift. The deficiency had probably arisen from the increased prices of food, and perhaps the increased number of patients, but from whatever cause, it was clear the expenses must be met.

Hon. Mr. FOLEY—Then what is the use of Estimates?

Hon. Mr. GALT—To show the probable expense, which if unnecessarily exceeded would expose the Ministers to censure, and he was very sure that his Hon. friends would not be slow in dealing it if it was really deserved. With regard to the expenditure on Public Works, he would not speak, as his Hon. friend, the Commissioner, would be able to justify his conduct; but he could say that no previous Commissioner had been so successful in reducing expenses. Emigration showed an excess of expense over the Estimate of \$13,500, which was owing to the very small number of emigrants last year, so that there had been a large deficiency in the capitation tax, and no one could have known this beforehand. The next amount was that for the removal of the Seat of Government—\$104,000, and he had certainly not expected that it would have been objected to, for if that sum had been asked by the Government it would have been scouted as less by three-quarters than the real cost. The new coin had entailed an expense of \$1,150, and according to the principle advocated by the Hon. member, it should have been left with the Express Company until the freight was authorized by Parliament. The Fisheries had also entailed a small excess of expenditure over the Estimates, and the whole sum of unprovided items was \$281,000, not less than \$225,000 of which could not by any possibility be questioned, but he would say that not a single dollar of the whole sum had been applied in a way he was not prepared to justify. The Hon. member was in a position to assert the greatest possible amount of public virtue, but he doubted whether even he could have managed better than had been done.

Hon. MALCOLM CAMERON said it was the expenditure of the people's money by the Executive, without the authority of Parliament, which was the chief cause of the discontent observable throughout the Province with the existing order of things, and which had caused the demand for constitutional changes. No cases had ever come home more directly to the people, or excited more talk, than those of the subsidy to the Ocean Steamers, and the purchase of Mr. Baby's tug-boats. In neither of them was the conduct of the Government in any manner justifiable.

Hon. Mr. GALT remarked that the Hon. member for Lambton was a member of the Hincks Government, which left as a legacy to its successor the payment of not less than \$2,000,000 for liabilities incurred without the sanction of Parliament. (Hear, hear, and laughter.)

Hon. MALCOLM CAMERON replied that it was one of the difficulties in which a person was placed who accepted office, that he was frequently obliged to keep his own opinions in abeyance

for a time. His opinion on this subject had been always the same. It was placed on record before he was a member of the Hincks Government.

Hon. Mr. DORION said the Hon. Finance Minister had clearly abandoned the opinions which he had enunciated when he occupied a seat on the Opposition benches, for he was one of the parties to the resolution condemning the Hincks Government for the expenditure referred to.

Hon. Mr. DRUMMOND said, under our present system of Government, a discretion must be left to the Government as to the expenditure of money during the recess. Entertaining this opinion, he did not see how he could vote for the motion of the Hon. senior member for Toronto, which condemned all expenditure without the sanction of Parliament.

Mr. McGEES said the Hon. Minister of Finance seemed to congratulate himself on having found a case of even greater extravagance than his own, but that did not afford him the least excuse. If we were to go on in this way, where would be the boasted excellence of Canadian institutions, and what would become of the social and commercial prosperity which the Hon. gentleman had painted in such glowing colors in his pamphlet addressed to those who were about to emigrate to the country. If greater wrongs had been done to the country in times past, there was still greater reason why the present error should be condemned. The highest function of the House was to take care of the finances of the people. If we were to be guided by precedents or to take any warning by other countries we should put a stop to these expenditures between Sessions. (Hear, hear.) He agreed with the Hon. member for Lotbiniere that cases would arise in which such expenditure became not only justifiable but actually necessary. (Hear, hear, from Mr. Brown.) Hon. gentlemen ought not to ask anything of the Ministry which could not be carried out if they themselves occupied the places of the Ministry. (Hear, hear.) There might be cases of accident, or other unforeseen circumstances, which would fully justify extraordinary expenditure. He was sure the Hon. member for Toronto did not mean to say that under no circumstances could such an expenditure be justifiable. All were aware that cases of necessity would occur, but in the present instance necessity was not proved, nor was it even pleaded as an excuse. It was taken for granted that the House was so indifferent to the interests of the people that they had only to say they had overdrawn a trifle of half a million or so, and the House would not hesitate to make it up. In the case of the purchase of vessels for Mr. Baby, \$60,000 was paid in advance; but there was no necessity there, for at that time the boats were laid up, and navigation had not commenced. But the principle acted upon was to complete a transaction, and then submit it to the House, knowing well that it could not be taken back. The evil was that we had no means of punishing a Minister of the Government, who thus

transgressed his duty. If the money obtained from the people by taxation were squandered, the people had no redress. For such offence there could be no impeachment and no trial. Constitutional government was yet upon its trial in Canada, and when we saw that indiscretion in the expenditure of the public money was becoming greater and greater every year, the result of the trial was certainly doubtful, and the belief was spreading widely that the present system did not answer, and would before long demand a remedy. (Hear, hear.) The people would be to blame if these abuses continued much longer, for they would soon have a constitutional opportunity of declaring that those who manage the public money should not act without the authority of their representatives.

Hon. Mr. DRUMMOND proposed that the amendment be amended by the insertion of the following words after the word "obtained,"—"except under circumstances of unforeseen or imperative necessity."

Mr. DUNKIN enquired if the second amendment was in order. If he remembered rightly, it had been ruled last Session that no amendment to an amendment was in order on the motion to go into Committee of Supply.

Mr. SPEAKER said the point was very clear. There could be only one amendment to the motion for going into Committee of Supply. The motion of the Hon. member for Lotbiniere was simply to amend the amendment, and consequently as it was not a substantive motion, he must rule it to be in order.

Major CAMPBELL said he considered that some of the expenditure had been very properly incurred. There were some items, however, which he thought might have appeared in last year's estimates.

Hon. Mr. CAUCHON contended that the proper course to pursue was to submit amendments to the particular items objected to, and not to propose an amendment lumping a number of items of expenditure, some of which were considered necessary and others unnecessary.

Mr. MACDOUGALL said, with all demands for economy which had been made year by year, they had been unable to place any check upon the public expenditure. This clearly showed the failure of the present system of Government, and that some change was imperatively necessary.

Hon. Mr. GALT said he did not think any Government would require a much greater degree of confidence reposed in them than that expressed in the amendment as proposed to be amended. The Government, therefore, had to look to the motives as well as the words of Hon. gentlemen opposite in moving the amendment, and they could come to no other conclusion than that it was intended as a vote of want of confidence.

The House divided on Hon. Mr. Drummond's amendment. Yeas 42; Nays 63.

YEAS:—Messrs. Aikins, Bell, Biggar, Brown, Bureau, Burwell, Malcolm Cameron, Campbell, Clark, Connor, Cook, Dorion, Dorland, Drum-

mond, Finlayson, Foley, Gould, Harcourt, Holmes, Howland, Jobin, Laberge, Laframboise, Donald A. Macdonald, Mattice, McDougall, McGee, McKellar, Mowat, Munro, Notman, Patrick, Walker Powell, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Wallbridge, White, and Wright,—42.

NAVS.—Messrs. Abbot, Archambault, Baby, Reaubien, Benjamin, Buchanan, Burton, John Cameron, Carling, Caron, Cayley, Attorney General Cartier, Cauchon, Chapais, Cimon, Conclée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dufresne, Dunkin, Fortier, Galt, Gaudet, Gill, Harwood, Heath, Hébert, Labelle, Lacoste, Langévin, Laporte, LeBoutillier, Lemieux, Loranger, Loux, Macbeth, Attorney General Macdonald, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Pope, William F. Powell, Price, Roblin, Rose, Richard W. Scott, Sherwood, Simpson, Sincennes, Starnes, Tassé, Tett, Thibaudeau, Turcotte, and Whitney.—63.

Hon. Mr. Brown's amendment was then put, and lost on the same Division.

The House then went into Committee, Mr. BENJAMIN in the Chair.

On the item of \$25,000, a discussion took place, in which

Mr. D. A. MACDONALD expressed his opinion that the Roads were eminently beneficial, but had been constructed at a cost of about \$800,—whereas he had been informed that they should have cost only from \$300 to \$500.

Mr. SPEAKER thought the Roads of inestimable value, in opening up the country and furnishing a field for the sons of our farmers. The country thus opened up was peopled with almost incredible rapidity, and he only wished all the estimates were laid out to as great advantage as this.

The item was adopted.

The remaining items were adopted, and the Committee rose and reported progress.

MUNICIPAL INSTITUTIONS.

On motion of Hon. Attorney General MACDONALD, the Bill respecting the Municipal Institutions of Upper Canada was read a third time and passed.

TERRITORIAL DIVISIONS ACT.

On motion of Hon. Attorney General MACDONALD, the Bill to amend the third chapter of the Consolidated Statutes for Upper Canada, known as the Territorial Divisions Act, was read a second time.

The House then adjourned at 12.5.

LEGISLATIVE COUNCIL.

[CORRECTIONS.—In the last column of the last page of No. 35, insert "not" before "to allow Writs of Habeas Corpus," in Mr. Patton's motion for the second reading of the Replevin Bill.

In Mr. Patton's speech on Foreign Insurance Companies, page 5, No. 32—for "87 Foreign Offices" read—"23 English companies, 46 American, and 18 Canadian, making 87 offices, many of which, etc.

The company alluded to in same page is "The Great Western of Philadelphia."

In same page—first column—for "Hon. Mr. Morin," read "Hon. Mr. Morris was not satisfied," etc.]

QUEBEC, Monday, April 30, 1860.

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

SAUREL ELECTION.

Hon. Mr. SEYMOUR presented the final report of the Select Committee on the Saurel Contested Election, declaring the election of the Hon. Mr. Guvrement void, on the ground of want of qualification.

BILLS READ A THIRD TIME.

The following Bills were read a third time and passed :

To declare the mode in which the side lines in the 1st Concession, old survey, of the Township of Cumberland, in the County of Russell, should run.

To provide for the payment in certain Municipalities in the United Counties of Northumberland and Durham, in which certain gravel roads have been constructed by the said United Counties, of a fair amount for the construction of such roads, and to vest the roads in the said Municipalities.

To amend the Common Law Procedure Act.

To amend the Indian Civilization Law.

[Hon. Col. PRINCE moved a rider to this Bill, seconded by Hon. Mr. Patton, to the effect that the liability to be incurred for giving intoxicating liquors to Indians should not extend to private hospitality bestowed upon them, where no intoxication ensued.

Hon. Mr. VANKOUGHNET considering that it would weaken the effect of the Bill, it was lost.]

To amend the Members' Indemnity Law.

Relative to a Division Line between Upper and Lower Canada.

To prevent abuses in the execution of notarial deeds

BOUNDARY COMMISSIONERS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill to establish Boards of Boundary Commissioners. The Hon. gentleman stated that he intended to refer this Bill to a large Committee on the second reading, on which he would place gentlemen hostile to it, in order that such an important and difficult measure might receive that minute consideration which it deserved. According to the present system a great deal of litigation arose. He knew of a case which occurred in Whithy, relative to the running of a boundary line, which was referred to him for discussion. The documentary evidence formed a large volume a foot thick. This he (Mr. Vankoughnet) took a week to look over

—but could form no decision. The Deputy Commissioner was also engaged for an equal time—with like ill success. And at last he (Mr. Vankoughnet) had to leave the matter to decision in the law courts. If the surveyor's report were adopted in this instance, one of the oldest farms in Whity would be cut off. It would be thus seen that the law as it at present stood was imperfect. The object of the Bill was to provide that Boards of three Commissioners should be appointed in each county in Upper Canada, with powers to hear and determine all matters in dispute touching the running of boundary lines. Stone boundaries were to be placed on the lines settled by the Commissioners. Appeals from the decisions of the Commissioners to the Superior Courts were also provided for.

The Bill was read a second time, and referred to a Select Committee.

SANDWICH TOWNSHIP DIVISION.

Hon. Col. PRINCE moved the second reading of the Bill to divide the Township of Sandwich, in the County of Essex, into two Municipalities.

The Bill was read a second time, and referred to a Special Committee.

NORTHERN RAILROAD.

Hon. Mr. PATTON moved the second reading of the Bill to amend the Act Incorporating the Northern Railroad. The object of the Bill was to confirm the late order in Council passed relative to the Railroad.

The Bill was read a second time.

PENALTIES.

Hon. Mr. PATTON moved the second reading of the Bill entitled "An Act relating to Penalties." The Bill provided that Penalties not exceeding \$20, imposed by an Act of Parliament in Upper Canada, should be recoverable in the Division Court. The defendant, however, could object to the jurisdiction.

The Bill was read a second time, and referred to a Special Committee.

COMMON SCHOOL ACT.

Hon. Mr. ALLAN moved the second reading of the Bill to amend the Common School Act of Upper Canada. By a late decision in the Court of Queen's Bench in Upper Canada, it was decided that, where Separate Schools were established for coloured children in Municipalities, the parents of those children could not compel them to be received in the Common Schools. The object of the Bill was to provide that the coloured parents should have the option of sending their children either to the Common or to the Separate School, according as they paid the assessment for the maintenance of either school. The Bill was demanded by a large body of the coloured population, and he (Mr. Allan) thought its principle unquestionably right.

The Bill was read a second time and referred to a Special Committee.

VAUGHAN SIDEROADS.

Hon. Mr. CHRISTIE moved the second reading of the Bill to confirm certain Side Roads in

the Township of Vaughan, and to provide for the defining of other road allowances and lines in the said Township.

The Bill was read a second time, and referred to a Special Committee.

FARNHAM ACADEMY.

Hon. Mr. MOORE moved the second reading of the Bill to Incorporate the Farnham Academy.

The Bill was read a second time, and referred to a Special Committee.

SAUREL ELECTION.

Hon. Mr. SEYMOUR, seconded by the Hon. Mr. ALLAN, moved that the Hon. the Speaker, do issue his warrant to make out a new writ for the Election of a member for Saurel Electoral Division—the seat of the late member having been declared void. Carried.

BILLS FROM THE ASSEMBLY.

The following Bills were introduced from the Assembly, and read a first time:—

To Incorporate the President and Trustees of the Common of Berthier.

To Incorporate and grant certain powers to the British American Investment Company.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 30, 1860.

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

BILLS INTRODUCED AND READ A THIRD TIME.

BILL to amend the Act respecting Municipal Institutions in Upper Canada, in regard to Police Forces in Cities.—Mr. Gowan.

BILL [from Legislative Council] for the better assignment of Dower in Upper Canada.—Mr. Robinson.

BILL to remove doubts as to the validity of By-law No. 309 of the City of Toronto, and of certain Debentures issued thereunder.—Mr. Wilson.

BILL to annex a certain portion of the Township of Halifax, in the County of Megantic, to the Township of Ireland, in the same County.—Mr. Dunbar Ross.

CASE OF MOISE PLANTE.

Mr. DUNBAR ROSS moved that the entries on the Journals of the House in regard to the case of Moise Plante be read, and that the petition of the said Moise Plante, and all other documents relating to the case, be referred to a Select Committee of seven members, consisting of Hon. Attorney General Cartier and Macdonald, Hon. Messrs. Drummond and Lemieux, and Messrs. Connor, Ouimet and the mover, to report.

Hon. Attorney General CARTIER opposed the motion. The petitioner and another man were convicted at the Criminal Court at Quebec, in 1856, of breaking into the House of Mr. Plamondon, while all the family were at Church,

except a female servant, and stealing property to the value of £80 or £90, and they were sentenced to imprisonment for life in the Penitentiary. There were certain atrocities in connexion with the robbery. The female was brutally assaulted, tied to the bed, and an attempt made to burn her to death by setting fire to the bed. The latter barbarity was not, however, completed, owing to the fortunate circumstance of the mattress being made of wool. But the parties were not convicted of either of these crimes. They were convicted of simple larceny, and in consideration of this fact the sentence had been commuted to seven years imprisonment.

Mr. D. ROSS contended that the petitioner had been illegally punished. They were convicted of simple larceny, and the highest punishment for that offence was two years imprisonment.

The motion was lost on a division.

THE QUEEN PRINTERSHIP.

Hon. Mr. BROWN moved that it is expedient to abolish the monopoly known as the Queen's Printership, and give the publication of the *Canada Gazette* and other work done for the Government and Legislature out by Public Tender. He said the Queen's Printers were drawing a revenue of from \$26,000 to \$27,000 per annum for work which could be done equally well for \$8,000 or \$10,000. These Printers had been selling the Consolidated Statutes at \$14.50, and it was now found that they could be supplied at \$4, and the Queen's Printers had recently offered to do the work for even less than that. It was said in defense of these parties that they had a patent from the Crown. Now that did not give them a monopoly for all time, but simply gave authority to what they printed, and rendered such documents official. This end could be quite as well obtained by proclamation concerning certain editions, no matter by whom printed. It was said they had been at great expense in securing hands and obtaining stock, but the whole affair was one of the grossest jobs that had been known under our system of Government.

Mr. W. F. POWELL said he had never been favorable to this monopoly, as had been asserted, and he took the present opportunity of contradicting the libel. (Hear, hear.)

Mr. SIMPSON hoped the Hon. gentleman would allow this question to stand over a little longer. The Committee might be accomplishing just what the Hon. member desired.

Hon. Mr. BROWN said he had been laboring for ten years to get this monopoly abolished. He was sure that no arrangement could be made with the same parties which would be effectual. They would manage to slip back to their old charges through their influence with the Ministry. If they were so well prepared to do the work, let them go into the market and compete with others for the work.

Mr. W. F. POWELL said the whole question was whether it was right to submit the work to

public competition or not. He thought it was, and he should vote accordingly.

Mr. McMICKEN moved in amendment, that all the words after "that" be expunged, and the following inserted: a Committee be appointed to enquire into the work done by the Queen's Printers for the Government, and the prices charged; and to ascertain whether it is expedient to abolish the said office; the Committee to be composed of Hon. Messrs. Brown and Galt, and Messrs. Simpson, Benjamin, and the mover.

Mr. GOWAN said the Hon. member for Welland had better say distinctly that he wished the Queen's Printership to be continued, for his amendment was evidently intended to defeat the object of the Hon. member for Toronto.

Hon. Mr. GALT thought the amendment ought to prevail. There had been considerable reductions in the prices of the Queen's Printers, amounting to nearly one-third on the Statutes, and in proportion on other work. It would be a rather hasty act to decide against them before a more thorough investigation had been made. Those parties had invested a large capital with the intention of printing solely for the Government, and they had made no less than four removals at their own expense. No injustice should be done to those gentlemen, for they had always served the Government well.

Hon. Attorney General MACDONALD read a statement from an American newspaper setting forth the corruption existing in the public printing at Washington, where the work was given out by public tender. For the printing of the House of Representatives alone \$200,000 a year had been paid.

Hon. Mr. BROWN said the work could be done as well and more cheaply by public tender. Messrs. Thompson & Co. had done the House Printing this year infinitely better than Mr. Lovell had done it for the first year and a half, and if Thompson & Co. went on improving at their low prices, he would be the last person to say a word against their contract. He had no hesitation in saying that they were at present working under every disadvantage, and that other parties were throwing every possible difficulty in their way.

Mr. BENJAMIN said that the Committee on Printing had proposed establishing a standard tariff of prices to apply to the work done by the Queen's Printers. He thought those gentlemen were entitled to every consideration. He understood that an establishment sufficient to execute the Government Printing would require a capital of not less than £10,000 or £15,000.

Mr. SIMPSON took a view of the subject very similar to that of Mr. Benjamin.

Mr. FERGUSSON contended that the safest way in all matters of this kind was to give out the contracts by public competition. The Statutes had cost \$14 a copy; and now, because other parties were willing to print another supply at \$4, the Queen's Printer was ready to do it for about the same price. This showed the advantage of competition.

Mr. FERRES thought that the Government at any rate should have a Printing establishment they could depend upon for doing the work well. The Printing of the House was now done at a price which it was much feared would not pay the party who was doing it; but that was no reason why the Government should have theirs done for less than its value. They should ascertain what was a reasonable price, and tell their Printer: We will give you that, and no more. And this, in his opinion, was the correct course.

The amendment was then put, and carried on the following Division. Yeas, 49; Nays, 44.

YEAS:—Messrs. Abbot, Archambault, Baby, Benjamin, Burton, Carling, Caron, Cayley, Atty. Gen. Cartier, Cauchon, Chapais, Cimou, Coutlée, Daly, Daoust, Dawson, Desaulniers, Dionne, Dufresne, Dunkin, Ferres, Fortier, Fournier, Galt, Gill, Labelle, Lacoste, Langevin, Laporte, Le Boutillier, Loux, Macbeth, Atty. Gen. Macdonald, McCann, A. P. McDonald, McMicken, Meagher, Merritt, Solicitor General Morin, Oimet, Panet, Playfair, Price, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, and Simpson.—49.

NAYS:—Messrs. Aikins, Bell, Biggar, Brown, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Cook, Dorland, Ferguson, Finlayson, Foley, Gould, Gowan, Harcourt, Holmes, Howland, Laberge, Lemieux, Donald A. Macdonald, Mattice, McDougall, McGee, McKellar, Mowatt, Munro, Notman, Papineau, Patrick, Walker Powell, William F. Powell, Robinson, James Ross, William Scott, Short, Somerville, Stirton, Tett, Thibaudeau, White, Wilson, and Wrigat.—44.

PARLIAMENTARY BUILDINGS IN OTTAWA.

Hon. Mr. BROWN moved for an Address to His Excellency for copies of all Advertisements, Specifications and Contracts connected with the erection of the Public Buildings in the City of Ottawa, the said return to show the names of all parties contracting for the several works, the names of their sureties, and the amounts of the several tenders. Carried.

REPEAL OF THE NEWSPAPER POSTAGE RATE.

Hon. Mr. McDUGALL moved, that the House do resolve itself into Committee of the Whole on Wednesday, to consider the following resolution:—"That it is expedient to repeal so much of the Consolidated Statutes of Canada, Chap. 31, as provides for the imposition of Postage Rates on Newspapers."

The motion was carried.

ROADS, &c., PURCHASED FROM THE GOVERNMENT.

Hon. Mr. BROWN moved, to refer to a Select Committee, the return to an Address in reference to the several Companies who, in 1849, bought Roads, Bridges, and Harbors from the Govern-

ment, and to report on the best mode of recovering the purchasing money in each case. Carried.

MONTREAL CITY BONDS.

On the motion of Hon. Mr. BROWN, an Address was voted for a copy of all correspondence having reference to the advance from the Public Chest of \$100,000 for the redemption of Montreal City Bonds payable to the Grand Trunk Railway Company.

MONTREAL HARBOUR COMMISSIONERS.

On the motion of Hon. Mr. BROWN, an Address was voted for a Copy of all correspondence in reference to the advance of \$60,000 to the Montreal Harbour Commissioners.

TUG BOATS BELOW QUEBEC.

Hon. Mr. BROWN moved to refer to a Select Committee of seven members, the Return to an Address on the subject of the Tug Boats below Quebec, and that portion of the Report of the Commissioner of Public Works having reference to the subject,—said Committee to report all the facts.

Hon. Mr. ROSE said it was the intention of the Government to ask for a vote for the purchase of the Tug Boats in question. Of course, the merits of the whole arrangement would then be submitted to the House—an arrangement that would save £15,000 a year to the country.

The motion was accordingly withdrawn.

REMOVAL OF THE SEAT OF GOVERNMENT.

On the motion of the Hon. Mr. BROWN, an Address was voted for a statement of all the expenses connected with the removal of the Seat of Government from Toronto to Quebec, the indemnity paid to members and employees of the Government, &c.

PROVINCIAL DEBENTURES.

Hon. Mr. BROWN moved for a return of the several statutes authorizing the issue of Provincial Debentures, which have become law since 1st Sept., 1854, showing the amount of debentures authorized by each such statute, the purpose for which issued, and the amount actually issued; said return to show also the amount of debentures redeemed since the said date, and those that had been redeemed before the said date; said return also to show the amount of debentures issued since the said date to meet annual excess of expenditures and revenues, and whether said debentures were issued under authority of the general statute providing for such annual deficiencies, or on the authority of old un repealed statutes providing for the payment of certain services, but which were defrayed at the time from ordinary revenues.

Hon. Mr. GALT opposed the motion, as the whole of the information asked for was to be found in the Public Accounts.

A Division was taken, when the motion was lost—Yeas, 36; Nays, 55.

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 30, 1860.

MUNICIPAL LOAN FUND.

Hon. Mr. BROWN moved for the appointment of a Select Committee to inquire into the manner in which money drawn from the Municipal Loan Fund by the different Municipalities has been applied. He complained that in many instances the money had been misapplied.

Hon. Atty. Gen. CARTIER had no objection to the appointment of the Committee. The Hon. gentleman, however, must know that the Government could not be held responsible for the way in which the money was applied. ("Hear, hear," from Mr. Brown.) The law required certain things to be done; and the law's requirements being complied with, the Government had no alternative but to loan the money demanded.

Six o'clock having arrived, the Speaker left the Chair until eight.

CONSTITUTIONAL CHANGES.

The order of the day being called for the consideration of the Hon. Mr. Brown's Resolutions in reference to certain proposed changes in the Constitutional relations of Upper and Lower Canada,

Hon. Mr. BROWN said, if he were to affect that he had no feeling of regret in rising to move such resolutions, he would do injustice to his own convictions. He rose with a full knowledge of the grave position which he assumed in asking the House to consider them; and he could assure the House it was not without the maturest consideration, and the greatest reluctance that he was driven to the conclusion that no possible change could be made which would produce a harmonious working between the two Provinces short of the change proposed in the resolutions. He could not be accused—certainly he did not feel himself open to the charge, of being one of those theoretical politicians who saw in any constitutional change a panacea for all the ills to which states were

liable. Very far from it. Did he feel that he asked for a change in our constitutional system merely from an expectation of advantage from the change—did he feel that he asked it merely for the great change that it would produce—did he feel that he asked it simply because in another country it had produced good results, and he could not show that the same results might be expected here—then, he felt it might be improper for him to take the position he was doing. He held, as strongly as any one could do, that Constitutional changes ought only to be proposed after the gravest deliberation, and that the man who first suggested them, assumed the very gravest responsibility. (Hear, hear.) The gravest reasons would only justify such a proposition as that which he was about to put before the House, and if he were not prepared to meet Hon. gentlemen on that ground, and to shew that changes were not only desirable, but absolutely necessary, he should not appear in his present position. (Hear, hear.) The proposition was not now made for the first time. It had been made several times by Hon. members of that House in even stronger terms than he had expressed it. The principle enunciated had been held for years by the Hon. member for Lincoln; it had been held for years by a great many members sitting on the Opposition benches, and it was held by a vaster proportion of the people of Upper Canada, than were represented on the floor of that House. For years, he had stood in the way of many members of his party urging on this House and the people, the very changes which he now proposed. For years many of those whose support he had the honour to have, had held that nothing short of a Dissolution of the Union, and the throwing of each section on its own resources, would meet the present difficulties of the country. He resisted the proposed changes on the ground that it was right to try all possible expedients—that it was right to bear and forbear—until the time had clearly arisen when no other alternative remained. That time he felt had now arisen; it was shewn, he thought, in the absence of any result to the de-

mands which had been made for simple changes, and in the fact that, year after year, things had been going from bad to worse. If they talked with Hon. members of that House, come from which section of the Province they might, they would scarcely find one who would not admit that the country was in a most grave position from the difficulties which had arisen in the working of the Union. It was in reality the position which every one took. He believed if they could clear the Galleries of that House, if they could close the Doors, shut out the Press, and speak frankly to each other of the affairs of the Province, it would not be long before they came to the unanimous conclusion that some change must be made. And then if they set themselves to work to find out a remedy, they would come to the unanimous conclusion, that the one he proposed was, in reality, the only feasible one. But bound as they were by party alliances—bound as they were by sectional differences—it was difficult to get members to come to that serious and frank consideration of the question which would be desirable. Nevertheless, he did hope that, in this discussion, Hon. members would feel with the large majority of the people of Upper Canada and a large population of the people of Lower Canada, that the subject was one which should be full and fairly debated, and debated too without that acrimony and personality which had been witnessed on former occasions. It was very easy to look back on the history of any country—to trace the evils and difficulties that have arisen from circumstances at different epochs—and to trace in their minds the causes from which those evils and difficulties had arisen. It was very easy to be wise after the fact. It would be very easy for him to go back to the first Constitutional Act of this Province and to say what was the mistake there—or to go back to the Act of 1791 and do the same thing—or to go back to the Act of 1840, and blame that for the condition in which we found ourselves. But he must say after going back and reading the history of those epochs, he had come to the conclusion that, whether the statesmen of those days had acted wisely or not, they had certainly gone to work with as honest a purpose as ever actuated any statesman at any time. It was true, they might differ from many of the sentiments that were uttered on those occasions. They might differ from the strong views of many public men of those days, but still they must admit that, upon all those occasions, the statesmen of those days did, from the point of view in which they looked at matters, that which appeared to them the very best under the circumstances. They were actuated by a liberality of sentiment in their desire to obtain the best Government possible. But all the difficulties which had occurred, had been clearly foreseen by them, amongst others by Pitt and Burke. The principle now laid down by him was that recommended by Lord Durham. It had been approved of by the British Government, and the Bill which was introduced into the Imperial Parliament by Lord John Russell was in consonance with it.

The Home Government did not adopt the present system in the belief that it was entirely adapted to the circumstances. It was almost hoping against hope to expect that a country having two different races, two languages, two systems of social institutions, and two creeds—the Roman Catholic and the Protestant in almost equal proportions—could be carried on with general harmony under a joint executive. No one could read the debates of those days without seeing that it was with fear and trembling that the Imperial Statesmen undertook this experiment, and the step was in fact forced upon them by a party in Upper Canada. It might be well to acquaint the House with the differences of opinion that existed in the House of Commons at that time, when the Bill was brought in. One point very strongly raised was with regard to the injustice done to Lower Canada in allowing her only an equal number of representatives with Upper Canada. The population of Lower Canada at the time of the Union exceeded that of Upper Canada by 175,000, and it was alleged that it was very unfair that she should not have a number of representatives in proportion to her population. It was said by *Joseph Hume*:—"It appears to me a great injustice is about to be perpetrated upon the people of Lower Canada. The Bill violates their rights, and is intended to swamp the French population, for Upper Canada with only 300,000 (?) is to return as many members as Lower Canada with 600,000." *Sir Robert Peel*, also, used the following language:—"The time has now arrived when it is absolutely necessary to consider these various propositions regarding Canada, one of which is to divide the country into three Districts, with three separate Legislatures. I once thought it necessary to form one general Confederacy, which, if practicable, would add much to the strength of the whole." *Sir John Pakington* said:—"It is with me extremely doubtful whether it is possible to govern so large a country by means of one Executive and one Legislature. Is the House aware that the length of those parts of Canada is not less than eleven or twelve hundred miles, and that the extent of the whole country is nearly as great as that of China, and that the length is nearly as great as the distance from the North to South of the United States, and the boundary line is fifteen hundred miles in length? I believe it would be wiser to divide Canada into Three Provinces, than to unite the whole under one Executive and one Legislature. [He quoted the pamphlet of Chief Justice *Robinson* in support of his views.] Now let me ask the noble Lord whether by this Bill he is not endeavoring to unite people different in their laws, their language and their manners.

* * *

I have endeavored to show that the feelings are so various that the Legislature cannot act harmoniously, and the religion must prove a fertile source of animosity." *Mr. Gladstone* on the same occasion said:—"I think we cannot anticipate from the Legislature which we are now providing for the Provinces any very long duration or any very harmonious

action." Mr. O'Connell protested against the Bill as an injustice to Lower Canada in placing Upper Canada, with an inferior population, on the same footing with her in the Legislature. He [Mr. Brown] quite endorsed the sentiment. [Hear, hear,] and thought it was most unjust to Lower Canada, though there were strong reasons for taking the course they did. It was not a matter to dispute, but it was quite obvious that it would have been far better had Representation by Population been at that time adopted. [Hear, hear.] The Province would have been free from those inconveniences which had since grown out of the alliance. Mr. Ellis, in his speech in the House of Commons, had expressed his fears that one Legislature would not work satisfactorily to the Province. Mr. Charles Butler, who was in this country with Lord Durham, said in a speech:—"The true method of governing Canada is to distribute the power in the different Provinces, instead of vesting in any one general body, the management of all the revenues raised throughout the country." Lord Melbourne said: "I know well that many objections may be urged against this bill; it may be said it is a large measure and unsuitable to the condition of so large a country, and of which different parts profess different religions and speak different languages. There are reasons to which I will not allude why the Province should be united, which completely overbalance the principle contained in these arguments, and there is one great leading principle which makes it desirable that they should be united, and that is their situation and necessary connection, and the joint possession of the River St. Lawrence, through which Upper Canada must discharge her produce. There is an absolute necessity that Upper Canada shall not be debarred from access to the sea by means of that River. It is also necessary that the tolls on the River should be levied by one and the same power." That was the true doctrine, and he [Mr. Brown] entirely endorsed it. The objections to a separation were all pointed out; dissimilarity of race and of religion, and the sectional difficulties. The reason he would not allude to was doubtless the fear of infidelity on the part of the Lower Canadians to the Imperial Government. That was the sole reason that could be advanced on behalf of the system adopted. The Duke of Wellington said at the same time:—"I consider the present measure for re-uniting the Canadas as a most dangerous experiment, and of a most arbitrary and unjust character. I oppose this measure upon two grounds. First, because founded upon misrepresentation, and secondly, because I think it most unjust. I assert that the French population are anxious for British authority, and both French and English are opposed to the union." Lord Ellenborough was of opinion that it would be impossible for the affairs of so extensive a territory to be well administered by one Legislature. Lord Lansdown in a speech on the question, said:—"It is highly probable that before the lapse of ten years your Lordships will be called upon to adopt some new principle for

the Government of Canada, in order to give each part of the Province its fair proportion of representation." When the question was in Committee of the Whole, Lord Ellenborough suggested an amendment to ensure representation, but it was said that in a few years there would be an application for an improved Constitution. Earl Ripon foresaw difficulty in the administration of justice according to different laws, and he foresaw also that the population and influence of Upper Canada would preponderate, and on those grounds he opposed the measure. The plan of Lord Durham was to give a separate Legislature to every Province, and to establish one with authority over all the others. He was a man of judgment and gave his opinion seriously, and after thoroughly understanding the grounds. He wished to show to the House how clearly the whole subject was understood by men of that day and how correct had been their views upon the question. The Duke of Wellington was of opinion that by giving to Upper Canada a good communication with the mouth of the St. Lawrence, prosperity would be insured to the country and the union with England rendered more intimate. Lord Melbourne replied that it was no easy matter to settle the relative rights of two countries to one river, but that it was of great moment to make arrangements that would be fair and satisfactory to both sections of the Province, and avoid those unfortunate feelings of sectionalism which arose before the union. He (Mr. Brown) thought he must have satisfied the House that the Constitution granted us in 1840 was regarded as an experiment, both by those who brought it forward and those who opposed it. But they felt that some action had to be taken then to overcome the temporary difficulties of the time, and they took the course best adapted to that end, expecting that at some early day an application would be made for a new Constitution. He was free to admit that the Constitution then granted was a wise and statesman-like scheme of the Imperial Government. (Hear, hear.) But he had always regarded it as an experiment and an attempt to assimilate two races. He was not ashamed to confess that his opinions had very much changed of late years; not suddenly, but he had been forced to the conclusion, that the experiment was not a wise one and had better not have been attempted. (Hear, hear.) Far be it from him to say that no advantage had resulted from this Constitution, and the evils consequent upon it were infinitely less than would have resulted from the old system. We must admit that great progress had been made by the country during the twenty years Upper and Lower Canada had been united. (Hear, hear.) But could it be said that the Province had arisen in consequence of the union? He apprehended the very opposite was the case, and that it had been in spite of the Constitution, and in spite of the Union. (Hear, hear.) The question was, had the Province progressed in consequence of the union, or in consequence of the energies of our people, of our newly developed forests, the richness of our

soil, and the influx of a new population? He thought he could show that if the country did prosper to any extent it was in spite of the Government (cries of no), and in spite of obstacles which few countries could have encountered so successfully. He frankly confessed that he had been at one time a strong supporter of the Constitution of the Province, as established at the Union, this arising probably from the fact that he had always greatly admired the British Constitution, and he had hoped that ours, formed on its model, would work well. He had often compared the English Constitution with the Constitutions of the Continental Nations, and while he had seen some of those nations totter and fall and their dynasties swept away, the British nation strong in its Constitution, had stood as strong as ever, and held its high position among the nations. He had hoped to see that Constitution introduced here, but in looking back a few years he could not perceive that the Constitution we had adopted had produced any results similar to those of the Constitution of England. The working of the British Constitution, though well adapted to England, was in no wise suited to the wants of this country. It had simply been a great experiment, and no doubt it was worth making, but experience had shown it was incompatible with our wants, and that some change was necessary. In Great Britain the Constitution had grown year by year with the circumstances of the times and the people, and had been guided with the greatest wisdom, and balanced by checks which guaranteed the liberties of all classes. But the question for us to consider was, whether that Constitution could be applied to Canada, and its administration entrusted to such politicians as we had, who were here to-day and there to-morrow? No one could examine the matter without coming to the conclusion that the power granted by the British Constitution to the Imperial authorities could not safely be entrusted to the Provincial Executive. In England there was the power and influence of the Crown and that of an old family aristocracy, both of which acted as important checks in their way; but here we had no such thing. Here instead of the Crown perhaps we had some Poor Law Commissioner, sent out to represent the Crown. In England we did not find the Crown taking part in politics, banding with a party and ruling by a party, but here we had seen it done by a Metcalfe, an Elgin, and recently by the present head of the Government. (Hear, hear.) Could the Queen be compared with a person who came here for his profit and to make a reputation which would entitle him to a higher position after he returned home? It was absurd to say that the power of the Crown could be entrusted to a Governor who was only sent here in the interests of the Colonial Office. Then what comparison could be made between our Upper House and the House of Lords? He did not say that there was no man in that House fit for the highest duties, for he well knew there were among them persons who would do honor to any house of Peers in any country. But as

the Council was at present constituted, of what use was it, but to register the Bills passed by this House? It exercised no control over the legislature. Well, the time might come when it was altogether elective, that it would exert its power, but, when that time does come, the troubles and difficulties he had predicted would come too. (Laughter.) Well we had had some of those difficulties already, for it would be remembered how that House had rejected an important Bill and the Ministry had been obliged to retrace their steps and go upon their knees to them. And it would be so in every case when that House thought proper to have a will of its own—the Assembly would be obliged to yield.

Hon. Mr. FOLEY—The Council was not elective then.

Hon. Mr. BROWN—He had referred to the Supply Bill, which the Council had rejected.

Hon. J. A. MACDONALD—But we are here yet.

Hon. Mr. BROWN—Yes, because you gave way to save your position. There was only one way to make the Constitution work, and it was by sweeping away the line of division between the two sections of the country, assimilating the laws, doing away with ecclesiastical legislation, and endeavoring by all honest means to produce a homogeneous population. But such had not been the case in the past. On the contrary, the two interests had been carefully preserved apart. We had legislation for Upper Canada and legislation for Lower Canada, and the Bills always recognized the distinction. The whole system recognized this; it was seen in the equal representation from each section in both Houses, and it was assumed to be kept in view in the votes of money, so that in fact the line of demarcation was as clearly defined now as at the time the Union was formed.

Hon. J. A. MACDONALD—Who so much as the Hon. member persisted in drawing this line?

Hon. Mr. BROWN—No, it was the people of Upper Canada who were forced to do this by the injustice they suffered, and the Ministry well knew it, for finding they had lost their confidence, to keep their seats they had been obliged to pit one section against the other. They gave away large sums to Lower Canada, and then to balance them they had to throw away a similar amount to Upper Canada. When they had forfeited confidence in Upper Canada they had been obliged to seek a majority in Lower Canada, and this method of Government had been persisted in since 1851. There was one advantage arising from the Union, however; and it was that through protracted discussions and repeated scenes discreditable to Parliament the matter had been thoroughly probed, and the people had become fully aware of the real merits, so that the conviction was now universal that things could not continue as they now were. The first ground which he would adduce as evidencing the necessity for a change was the gross injustice done to Upper Canada in the matter of Representation. He would not strongly press this point, and only

touched it in order that if it were desired it should be fully discussed. The equality of Representation was at first unjust to Lower Canada, and now it was more so to Upper Canada. It had been argued that the population of Upper Canada was not so much in excess of that of Lower Canada, as he and others held it to be, and that the population of Lower Canada had increased at a much greater ratio than that of Upper Canada. This was a mistake, as he would endeavor to prove. The population of Upper and Lower Canada had increased at a fixed rate, and taking a liberal discount off, it would be found that Upper Canada very greatly preponderated.

Hon. Mr. CAUCHON.—Upper Canada had increased by emigration, which of late had been small.

Hon. Mr. BROWN.—The emigration had only fallen off for a few years; but the natural increase in Upper Canada was larger than that of Lower Canada. At the time of the Union in 1842 the population of Lower Canada was 661,294, and that of Upper Canada 486,055. Since then the difference had been gradually decreasing, till in 1852 the majority had turned in favor of Upper Canada by 60,000. Supposing the progress of both sections of the Province to have been in an equal ratio ever since, the difference at this time would be an excess of population in Upper Canada over Lower Canada of 543,000. He would, however, say he did not think that the increase of late years in Upper Canada had been quite so great, and therefore he estimated the difference at between 350,000 and 400,000; but he believed it would be found to reach the latter figure. Some persons imagined that the falling off in immigration had affected the increase in Upper Canada to a great extent; but the discrepancy was not so great as was supposed. Then it was alleged there had been a reduction of population by emigration from the Province; but this was only true of the villages, towns, and cities, and only to a small extent. The counties had not suffered; on the contrary, they had largely increased,—and in support of this view he would appeal to the members for Bruce, Kent, Peterborough, Simcoe, and other counties, and probably the same may be said of the Ottawa District. Then a source of increase was the immigration which came over the Lakes and Railways, and which was by no means inconsiderable.

Mr. POWELL said that from an article in the *Globe*, calculated he believed upon the principles now stated by the Hon. member, the City of Toronto in 1858 was to have 65,000; but when the Census was taken, it was found to be only 42,500.

Hon. Mr. BROWN said this was an error, and he had never held this; but the increase of Toronto since 1852 was about 50 or 60 per cent. However, he was firmly persuaded that the population of Upper Canada was in a sufficient excess over that of Lower Canada to entitle it to 20 or 25 members more; and this being the

case, the people could not get over the injustice which such a condition of things involved. It was answered to this, "Why, then, don't you wait till the Census is taken?" But he desired to have the principle of Representation settled before this; and, surely, if Lower Canada was so satisfied of having a population equal to that of Upper Canada, it had no cause to fear the results of the adoption of the equitable principle for which he contended. If they had a preponderance, why then the advantage would be theirs.

Hon. Mr. CARTIER was not so sure that if the excess was found with Lower Canada, the Upper Canadians would be willing to grant this.

Hon. Mr. BROWN was satisfied they would; and if the Hon. Attorney General would move for its adoption, he would second the motion at once. But if the argument drawn from this source was strong, how much more was not that relating to the Finances of the country? He did not assume to present exact figures; but an approximation to the real facts would abundantly answer his purpose, and he was sorry the Hon. member for Berthier had not persisted in his demand for a Committee to investigate the financial relations of the two sections of the Province; for it would then have been seen that the view he took of them was abundantly borne out. But it was the policy of the Government to delay and put off such inquiries, and in accordance with it, the statements the Attorney General had promised had not yet been supplied. But to proceed, he held as a fact which of course would not be disputed, that all the Custom House receipts in Upper Canada were for imported goods consumed there, none ever finding their way to Lower Canada.

Hon. Mr. GALT—Yes, nearly all.

Hon. Mr. BROWN—Then, a large proportion of those imported by the river, and for which duties were paid at Quebec and Montreal, were also admitted to be for consumption in Upper Canada. He had inquired from merchants of all classes in Montreal what they supposed the proportion to be, and, while some had put it at from 7 to 8 tenths, it seemed to be generally agreed that the amount was certainly not less than half. (The Hon. member then went into a detail of the duties collected in Lower Canada from 1854 to 1859, crediting Upper Canada with half, and inferring that it therefore paid a much larger proportion of the Revenue than Lower Canada. In a similar way he dealt with the income derived from excise, deducing an equal conclusion. With regard to the Public Works—two-thirds of the revenue of the St. Lawrence was contributed by Upper Canada, and only one-third by Lower Canada. The same thing could be said with regard to the Banks of the Province; while as regards the Post Office revenue, Upper Canada contributed three-fourths, and Lower Canada only one-fourth of it. The same results were obtained on comparing the aggregate of the other items yielding revenue in the Province, and this on a comparison extending from

1854 to 1858. Hon. gentlemen might say that these were mere calculations; but he defied them to say that they were not founded on fact. Upper Canada paid seventy per cent. of the entire Revenue. He repeated it—and his calculations were founded on authority which he was sure the House would not call in question. The present Premier (Mr. Cartier) had stated to his constituents at Vercheres, that Upper Canada paid 66½ per cent. of the Revenue of the Province. Would that Hon. gentleman disown now what he had then stated to his constituents? Would Hon. gentlemen on the other side of the House disown what their leader had stated? That Hon. gentleman had stated expressly that Upper Canada contributed two-thirds of the Revenue of the Province. The Hon. gentleman here read the speech of the Hon. Mr. Cartier just alluded to, and then went on to say that the Hon. the Attorney General East did not stand alone in his opinion that Lower Canada only contributed one-third of the Revenue of the Province. In 1852 the Hon. the Attorney General West made a similar statement. He made use of the same language, namely, that Upper Canada contributed 66½ per cent. of the Revenue of the Province. Under all these circumstances, he (Mr. Brown) would ask, was it possible that Upper Canada should go on bearing the burthen of the Province. He could not conceive how Hon. gentlemen could conceive that such a state of things could last. A due representation of the people of Upper Canada was demanded; a representation according to numbers. Hon. gentlemen on the other side of the House might endeavor to keep up the present system; but they would find out that it was impossible to do so. Then there was another point to which he wished to draw the attention of the House—the Public Debt. Where did the largest amount of the expenditure come from? The exports of 1859 amounted to \$24,766,891—of which \$13,989,768 went from Lower Canada, and \$10,777,213 from Upper Canada. On looking at these figures, it must be obvious that the whole of the latter amount must have come from Upper Canada, and that of the former a large proportion must have come from Upper Canada. He felt that he was below the mark when he stated that two-thirds of the whole amount came from Upper Canada. It is said, however, that a large portion of the debt of the Province is spent in Upper Canada. This was not the case. The largest portion of it had been spent in Lower Canada. But he wished to impress upon the House that no matter in which section of the Province the largest portion was spent—yet that Upper Canada contributed the largest portion of it. There was not one sixpence of it but what was paid for by the people of Upper Canada. The expense of the Public Works was borne by the people of Upper Canada. But there was no use in going on with the list. He thought that he had shown enough to establish the fact that the present system of Constitutional Government could not be carried out any longer. Hon. gentlemen on the other side of the House had accused him (Mr. Brown) and other

Hon. gentlemen who sat beside him as Constitution-mongers. But let it not be forgotten that the Hon. Attorney General West and his colleagues a short time ago declared the opinion in a written address of the necessity of those very Constitutional changes. Those gentlemen had declared that the present state of things could not be maintained. And yet they accused him (Mr. Brown) with attacking the Constitution. Those Hon. gentlemen seem to have forgotten that they were ever sent to England, and had there set forth to the Home Government these opinions of the necessity for constitutional changes, and the hopelessness of continuing the present state of things. And he (Mr. Brown) declared that if those Hon. gentlemen would at the present moment throw aside all partizanship and go in heartily to work for the good of the country, he would second the scheme. But he would like to know if those Hon. gentlemen had any intention of carrying out those constitutional changes that they seemed to bear so much at heart? It would seem that they had not. For years had passed since then, and there was as yet no sign of any constitutional changes being enunciated from the Ministerial side of the House. This was all the more extraordinary, as what the Hon. gentlemen had stated to the Home Government was stated on the faith of their position as responsible advisers of the Crown. In place of constitutional changes, Upper Canada was still ruled over by Lower Canada, and her most sacred rights trampled on. The Hon. gentleman particularly alluded to the Hon. Finance Minister, who he stated was at the time a strong friend of a federal union—but of late he had become lukewarm. There was a time, however, when the Hon. gentleman held views somewhat antagonistic to those which he professed to adhere to at present—that was when his seat was on the opposition side of the House. In 1856 that Hon. gentleman had spoken of the “irreconcilable difficulties which existed against the present union between Upper and Lower Canada.” He had advocated a general federation of all the Provinces, with authority for each section to manage its own local affairs, and a sort of “joint authority” to superintend the whole. The scheme of the Hon. gentleman was to divide Canada into two or more Provinces—to take in the Hudson’s Bay Territory—and to provide the machinery by which the Lower Provinces might afterwards be admitted into the Union if they desired it; and the whole was designed to meet what might be considered the irreconcilable differences which presented themselves in the Government of Canada. It was only to be regretted that circumstances had prevented a practical result, for it had never been contended by himself or his friends that Representation by Population was the only thing that they would accept. It would be remembered that when once speaking on the subject of Representation by Population, the Hon. member for Kamouraska had told him that Lower Canada would never grant it, pure and simple, and that

he replied—"Show us the terms of Lower Canada; for, while we hold that Representation by Population is the true basis of any Government, still we are quite prepared to grant any constitutional changes which, while not trenching on the rights of each other, will secure to each the control of its own local affairs." Under the present system, not only had injustice been done to Upper Canada as regarded her Municipal Representation in that House—not only had injustice been done to Upper Canada as regarded the manner in which her revenue was distributed—not only had injustice been done to Upper Canada with regard to the whole financial burdens of the Union, but the unfortunate position of matters was at this moment, and had been for some time past, that Lower Canada controlled not only the general affairs of the Union—not only her own local and internal affairs, but also the local and internal affairs of Upper Canada. [Hear, hear.] While Upper Canada was contributing at the rate of 70 per cent. of the taxation, she was totally debarred of the privilege of saying how that taxation was to be applied. Lower Canada took entirely into her own hands the disbursement of money, and set entirely at naught the views of the representatives of Upper Canada. Look at the manner in which duties were imposed—solely with the view to force the whole of the trade of the Western Section through the St. Lawrence. Upper Canada desired to have two routes for her trade; she desired to go either to Boston or New York, whichever might be the cheapest, while it was the interest of Lower Canada that the trade should pass solely through the St. Lawrence, and to force it in that direction; *ad valorem* duties were administered in such a manner as to act as preferential duties in favor of it. This was protested against by the majority of the representatives of Upper Canada, but in vain.

Hon. Mr. GALT—Do you prefer the way to New York?

Hon. Mr. BROWN—No, he did not, but he thought both ways ought to be open. He was a thorough free-trader, and he would desire that Upper Canada might go the way which suited her best.

Hon. Mr. GALT—So she may.

Hon. Mr. BROWN—But she has to pay for it.

Hon. Mr. GALT—No.

Hon. Mr. BROWN—Then Upper Canada protested against the tea duty, the iron duty and the pork duty. But although contributing 70 per cent. of the revenue she protested in vain. Then, if they looked at the division lists for the last few years, they would find that the majority of the representatives of Upper Canada had voted against the manner in which the money was laid out. Yet Hon. gentlemen on the Treasury Benches laughed when such wrongs as these were spoken of.

Hon. Mr. GALT—How many votes have been against the Government?

Hon. Mr. BROWN said he might go over fifty votes since the Session of 1857. At all events since the General Election in 1858, the Upper

Canada majority against the Government had been "systematic and continuous." There had not been a single vote taken this Session in which the Government had not found themselves in a minority, and he had no doubt that in every division on the Supplies the Government would find themselves in the same contemptible position. Then, there was the great question of the Reciprocity Treaty, in regard to which Upper Canada felt herself in a dangerous position. Upper Canada could not view without alarm the hostility to that Treaty, now observable in the United States, and there was only too much reason to fear that, on the very first opportunity it would be abolished. This would be a serious disadvantage to Upper Canada, but her mouth was closed in regard to it. The extravagance and mismanagement of the last few years, which would not have taken place had Upper Canada had a voice in the Government of the Country, had rendered high Customs duties necessary, and this, combined with the differential system in favor of the St. Lawrence, and the opening of the two Free Ports, would afford such good arguments to the parties who were endeavoring to obtain a repeal of the Treaty, that all our endeavors would be insufficient to prevent its repeal. It was of no use attempting to conceal that the Treaty was of advantage. Gentlemen from Lower Canada might think little of it, but the people of Upper Canada attached much importance to it.

Hon. Atty. Gen. CARTIER—And so do the people of Lower Canada.

Hon. Mr. BROWN—Well, I think the Townships are interested in it.

Hon. Atty. Gen. CARTIER—Yes! we are all interested.

Hon. Mr. BROWN—And I think they (the Townships) ought to take a stronger part in resisting the action of the Government. But there were other matters which affected the people of Upper Canada most seriously. There was one in particular which he thought would be patent to every one. He appealed to Hon. gentleman from Lower Canada whether they would have consented to continue the existence of the Union if they had stood in the present position of Upper Canada, with a population of from 350,000 to 400,000 more than Lower Canada, entitling her to at least 25 more members, and contributing 70 per cent. of the revenue? No, not for a single day! Then could Hon. gentlemen from Lower Canada be surprised at the demand for Constitutional Changes? No; it was a demand which would have been made much more eagerly, and much more clamorously, had they been placed in the same position. Then see how the patronage of the Crown was administered. Whoever heard of the patronage being administered by a minority? Yet it was so here. Lower Canada, in this as in every other case, managed the local affairs of Upper Canada. How would Lower Canada like it? Let Hon. gentlemen remember when, by a small majority obtained by the grossest fraud and corruption, Upper Canada ruled Lower Canada,

and forced their views and their measures upon the other section of the Province? Let Hon. gentlemen recollect their feelings then, and then think how Upper Canada felt at this moment. Had that state of things not been upset by the Election of 1848-49, would Lower Canada have submitted to it? Then, in regard to an Legislation, it would be remembered that the Hon. Attorney General West, when defeated by an Upper Canada majority of six, declared he could not remain a member of the Government, and resigned his office. Well, the Hon. gentleman went to the country and he returned with a majority of 15 against him. Nevertheless, he still retained his position, and he appealed to Hon. gentlemen whether Legislation had not been "continuously and systematically" in the hands of Lower Canada? He appealed to them whether the most sacred matters as affecting Upper Canada had not been in the hands of Lower Canada? Then look at the divisions on the School question. Lower Canada had forced the Sectarian system on Upper Canada, a large majority of the Roman Catholics, as well as the Protestants of Upper Canada, being in favor of maintaining our national system entirely free from Sectarianism. Then look at the North-West Territory question. There was a country containing many millions of the finest land. It had also inexhaustible fisheries and mines, and there was the probability that if the Fraser River country continued to advance as it had done, the time was not far distant when a great road would have to be constructed through that country direct from Upper Canada. Yet what did they find? They found the British Government desirous of sustaining the views of Upper Canada, while on the other hand they found the Hon. the Premier declaring, as the leader of the people of Lower Canada, that he would never consent to that Territory being taken as part of Canada, because that would throw the weight of influence into the hands of Upper Canada.

Hon. Attorney General CARTIER—Where is the proof that I made such a statement? Produce it!

Hon. Mr. BROWN—If the Hon. gentleman says the statement is not true, of course that will be an end of the matter.

Hon. Mr. CARTIER—Who was the author of that statement? There was no one present from the North-western territory at my conversation with Mr. Lyton. Was it Mr. Isbister?

Hon. Mr. BROWN said, Mr. Isbister was not the person to make such statements unless there was some truth in them. But whether the statement is true or not, the great North-west country ought not to be kept from Upper Canada because of the interest of Lower Canada. (Hear, hear.) And then with regard to other matters of legislation. On the question of the unanimity of a Jury they had the Hon. gentlemen from Lower Canada determining how Juries in Upper Canada ought to decide. On the first division

there was an Upper Canada majority in favor of the Bill, and on the second division there was also a majority of 22 to 11, and yet the Bill was voted down, though he believed the system proposed in the Bill was nearly the same as that adopted in Lower Canada. Then upon the question of determining how matters of arbitration concerning public works should be decided. In Lower Canada there was a right of appeal from the arbitrators to the law courts, in case of injustice. They moved for the same right in Upper Canada, but by Lower Canada votes the amendment was rejected, and Upper Canada must abide by the decision of any arbitrator the Government chose to appoint. Did they think such a system as this could continue? And that the constant recording of such votes did not rouse a spirit of indignation in the people of Upper Canada? They heard much about a change coming over Upper Canada, but it was a change to a stronger feeling than before of the injustice done to the country. (Hear, hear.) There was a stronger feeling of indignation in Upper Canada and better ground for it than there had been at any time since the rebellion. Then regarding imprisonment for debt. In Lower Canada no man could be imprisoned for debt, and though 25 against 21 Upper Canadians recorded their votes in favor of the same law for Upper Canada, imprisonment for debt was still tolerated there. Then with regard to Registration Offices, Upper Canada desired by 23 to 17 that the establishment of new offices should be with the consent of the County Council, but the Lower Canada majority was called in to the aid of the Government. Then even in matters purely local, such as fixing the number of polling places in elections they could not have their own way in Upper Canada. Some townships were so large that the polling places were not sufficient, yet, just because the Government chose, they must continue to endure the inconvenience and see many of their people virtually disfranchised. Then there was a measure regarding the County town of Lincoln, which was voted for by 24 to 11 of the representatives of Upper Canada, yet Lower Canada came to the rescue and decided that the people of Lincoln should not settle their own town. Then, in another case, a measure was introduced providing that any sum of money raised by the Municipal Councils should be submitted to the people, but Lower Canada positively refused to allow it. Regarding the divorce law, 30 to 23 of the representatives of Upper Canada recorded their votes in favor of it, but Lower Canada refused the measure to the people of Upper Canada, and struggled to prevent Mr. McLean from getting his divorce bill through. And then what gross frauds were tolerated for a long time in regard to the Russell Election. Was not great injustice done to Upper Canada by having that person kept in

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, April 30, 1860.

CONSTITUTIONAL CHANGES.

(Continued from our last No.)

the House to vote as he did? By a vote of 36 to 15 the people of Upper Canada proposed to declare the election null and void, but a Lower Canadian majority set it aside. He was not stating these things as a reproach to Lower Canada, or to the Hon. gentlemen who voted unfavorably to Upper Canada, for he freely admitted that while the Union lasted every man must vote conscientiously, but what he did say was, that almost all these votes were given simply to maintain the administration in power, and not with a view of having justice done. (Hear, hear.) It was the great evil of the present system, that men must have two consciences who came to the House—one for Upper Canada and one for Lower Canada. (Laughter.) But he must say that a grave reproach and responsibility lay at the door of the highest authority in the land; at the door of the Hon. member for Vercheres, and of the Hon. Minister of Finance, for forcing upon Upper Canada a series of most objectionable measures. But supposing an Upper Canada majority to occupy the Treasury Benches, it might be quite true that they could not command a Lower Canada majority. It was a choice of evils, one ruling the other. But—he did think it a great impeachment against the Hon. gentlemen on the Treasury Benches, that they allowed Upper Canada to be ruled as it had been. But if the Prince Royal with the Colonial Minister, came to this Province, they could not fail to understand, as many statesmen had already understood, that the attempt to carry on affairs in this way must necessarily result in difficulty. Who could say they were fit for free institutions if they submitted to such a state of things? (Hear, hear.) Look at the men who filled the benches opposite. Did they come in as a great party? How did they first obtain their seats? They obtained

them after the sacrifice of every principle they ever professed; they threw everything to the winds for the paltry consideration of obtaining office. They had scratched along from day to day, throwing over their principles like damaged goods the moment they stood in the way of obtaining spoils. (Hear, hear.) It was said that they (the Opposition) would be as bad as they were. It might be true. It might be true that the system was so bad that it was impossible for honest men to remain so in office. How did the Hon. Postmaster General obtain his seat? Why, after he had voted for the Opposition, he was thrown in to patch up a place in the Government. And was not the Hon. President of the Council put in because another man could not be found, who would accept the office, and go before his constituents at the next Election? And the Solicitor Generalship was now filled by a gentleman who could not get a seat in the House. Hon. gentleman might fancy that such and such things would be endured by the people of Upper Canada, but the person who held such an opinion was unworthy a place in a free country. It should be borne in mind that the Government were purely sectional; there was not one representative in the Cabinet who was from the country west of Cobourg. Was that a state of things to continue? It had been said that demands for Constitutional Changes had proceeded from Hon. gentleman on his side of the House, who had agitated the people on the subject, but so far from having forced it upon the people, if he had not come forward upon that question, he would have been swept away at the last election. They had but to go on a little longer, and sneer at Upper Canada on every occasion, and laugh everything to scorn, and there would come up one great voice from the people demanding a Dissolution of the Union. (Hear, hear.) The present state of matters was exceedingly alarming, and if the Government would not consider fairly the grievances complained of, there was but one appeal to be made, and that was to the Imperial Government, from whom he apprehended redress for the evil could

be obtained. The necessity for such a step had been long resisted. He believed they ought not to appeal till the last moment, but if it must be, and if the Legislature was determined to go on in this way, then, in self-defence, they must avail themselves of the last and only remedy. The Hon. member went on to show the long struggle for the ascendancy of Reform principles in Canada, going over the dispute between Lord Metcalfe and the Baldwin La Fontaine Administration, in respect of the claim made by that nobleman to appoint parties to offices without consulting them. In this matter he said the Ministers had shown they were actuated by the most exalted patriotism when they resigned their places, rather than submit to a doctrine so destructive of their influence and responsibility. The subsequent events were then passed in review, and the Ministry that took office were presented as the worst enemies to the liberties of the people. By trickery, intrigue, and other disgraceful means, they had managed to obtain a small majority of the whole House, but were in a large minority in Lower Canada, which they had ruled in this way from 1843 to 1848. Then who, he would ask were the friends of Lower Canada at that time? Why the Reformers of Upper Canada, and they had stood firm by them. He had always admired the noble stand the Lower Canadians had then made, and the faithfulness with which they held on by their principles. Indeed he admired the unanimity which had always and up to this very day characterized the Lower Canadians, but then it was true that, with the exception of the five years he had named, they had all their own way. The Hon. member for Vercheres was among the most firm and decided of his party at that time, and he had seen it at last prevail, but he would ask that Hon. member whether, if he had been in a minority of 10 or 12 in Lower Canada, he would have continued to occupy his place, and to rule the Lower Canadians with an Upper Canada majority?

Hon. Mr. CARTIER had supported Messrs. Baldwin and LaFontaine and did not enquire whether they had a majority in Upper Canada.

Hon. Mr. BROWN—The answer was not to the point, and what he wanted to know was whether the Hon. member supposing he had a continuous and systematic majority against him on every division for several years, would have retained his office by Upper Canada votes.

Hon. Mr. CARTIER—If his conscience had told him he was right he would have done so. [Hear, hear, and derisive cheers.]

Hon. Mr. BROWN—Well he would not ask the Hon. member what were his convictions, for that was too delicate a question, but was it not evident that, night after night, and year by year the Ministry had an Upper Canada majority against them, and that they were obliged to make the humiliating confession that they could not bring forward a single measure involving a difference of political feeling for Upper Canada, for fear of its being voted down by the members from that section of the Province.

Hon. Mr. GALT—Yes, by a factious Opposition.

Hon. Mr. BROWN—O yes, the Ministry were to be the sole Judges of what constituted factiousness. True, this Session they had brought in a few trifling Law Bills relating to Upper Canada, and that was all. They had finished using up the brains of the late Administration, and had nothing of their own to bring forward. Yet, was not a Bankruptcy Law called for from one end of the Province to the other, and were they not bound to prepare and submit such a Bill? To be sure they had referred the subject to a Committee, which they did not attend, and the matter was being put off from day to day, until it would be too late to introduce it this Session. Then, in the important matter of the University investigation they took no part. The same might be said of the Homestead Bill, they were afraid to meet it. Then look at their conduct on the bribery and corruption Bill which it was most important for the purity of the Elections should become law, how they twisted and shifted to get rid of it, and how, after it had been carried in Committee, it was understood they intended to rally their forces to defeat it at a later stage, what was the use of having twelve men as a Government, who did not dare to act and who, if a Bill had to be brought forward always put it in charge of a private member, so that their places should not be prejudiced if it mis-carried. Look again at their course on the grand scheme of the Bank of Issue, brought in by the Finance Minister, with so much circumstance and ceremony, because of the failure of two trumpery concerns. After stabbing the old established Banks through this scheme, they found that they could not carry it, and after arranging to have an assent to the Resolutions, it was to be dropped. Was it a wonder that the country should be dissatisfied with such a Government. But to continue the review of the past there was the burning of the Parliament House in Montreal, and all the troubles of that period, to show how well the Union worked. Following after that came in the Hincks Administration, when an awful flood of corruption at once set in, and when the monstrous Railroad schemes, which had involved the country in its present obligations, were launched. Could such things have been perpetrated if there had been an appeal to a Common and Homogeneous people? They could not. Next we came to the Coalition of 1854, and looking now at the fag end of it, would any one have the boldness to say it had been a credit to the Province? In Lower Canada there had been no abnegation of principle, for they had everything their own way, but the Elections in Upper Canada had very clearly proved that it was held in abhorrence. Of the Ministerial supporters no less than 17 had been re-elected, while not a single member of the Opposition had suffered defeat. And was it to be supposed that the people of Upper Canada did not feel that they were wronged, and that under a Union which admitted of such things, they must despair of justice. Since 1854 the views

of the minority in Upper Canada had been constantly carried out, and those of the majority ignored. The test applied to the measures of Government was not their goodness, but whether voting against them would turn out those who originated them. This was the one only and uniform test. For instance, was it to be supposed the motion regarding the Queen's Printer-ship would have been treated as it had been that afternoon, if the fear of prejudicing the Government had not strongly operated. Disappointment had followed disappointment, for after the people of Upper Canada had twice pronounced the condemnation of the Government at the polls, they still retained their offices. What would the people of Montreal think if after defeating men at three elections, they found the minority still retaining power, and securing all the favors the Administration had to bestow. It had been frequently alleged that there was no communion of feeling between the majority in Upper Canada and that in Lower Canada, and that therefore it was impossible they should fuse. He had been represented as the cause of that antagonism; and told that if he retired an alliance could be effected. Well, he had held himself prepared to retire altogether or to take his place on the cross benches, and so soon as it was distinctly understood that this was really what was desired, he would do so. The alleged disorganization of the party with whom he had acted was made the most of; but while he admitted there were disagreements among them, they were only on some points, for they were all agreed as to the necessity of some Constitutional change, and the next Election would prove this necessity with greater force than had yet been done. It was alleged that in this case there was any such necessity. Let each section manage its own local affairs, in its own way, and let there be another power to decide upon matters of general interest. If it be really impossible for the two to agree, it must be evident that the plan he proposed was the only one to meet the difficulty. He had prepared a long list of injuries which had resulted to the Province from the system at present in existence, but the length of time he had already spoken precluded his going over them (cries of go on, go on, from both sides.) One of the greatest of these was the distribution of the Municipal Loan Fund of Upper Canada among a comparatively small portion of the population, five towns having got \$2,540,000 and the rest of Upper Canada the balance of the \$3,000,000 (The Hon. member here gave copious details of the manner in which the Fund had been apportioned.) The whole of it had been swallowed up by 366,798 persons, the rest got literally nothing. But all had to pay their part back, and this, of course, created very great dissatisfaction. The effect of the scheme of repayment passed last Session, was to lead to general repudiation. And accordingly, we had the Hon. member for Hamilton coming down and saying, that as that City had not shared in the Loan Fund, but had

contributed large liabilities for Railways, &c., it should be relieved of its burden. and a Committee to inquire in the matter, had been moved for and carried, for the Government were powerless to refuse. Of course, all other Municipalities similarly situated would make similar demands, and the leading question at the next election would be, why should we pay our debts and those of others also? Then there were the votes for Steam boats, the expenses on Piers below Quebec, the Quebec Fire Loan, upon which some six or seven hundred thousand dollars was due, and which the Government did not even try to collect, while the arrears on Crown Lands in Upper Canada were demanded at the point of the bayonet. Then there was the debt for the York Roads, of which Mr Beattie, a supporter of the Government, was relieved, although he had made large profits by them; then the Queen's Printing, a job which cost the country some \$25,000 or \$30,000 a year, and which the Government did not wish, for reasons of their own, to change. He might go on to remark about the Loan to the Montreal Harbor Commissioners, which he would not be surprised by-and-by to find was a gift, and there were many other such things. But what was the use his lashing the waters, for he knew things would go on just the same; Hon. members would say, we are party men, and must go with our party, and so they would until the country was brought to the verge of ruin. The member for Carlton had said he was ready to go all lengths excepting to turn out the Ministry, and he supposed that the doctrine applied more or less to all parties and Governments. We had not, however, the power of resistance which the British Government had to resist improper demands, and he could not see any hope for improvement, but in some change which would interpose obstacles to improper concessions, which Government could not overpass. The Hon. member then referred to the practice of doing important Acts by orders in Council, under which the Executive shielded themselves, and which he condemned as extremely dangerous. But the Government had all power, and he verily believed that if the Attorney General East made a motion for his [Mr. Brown's] expulsion from the House it would be carried.

Hon. Mr. CARTIER said, he never would think of such a thing.

Hon. Mr. BROWN—Well, if he did, it would be done in half an hour. (Laughter.) Indeed, there was not a proposition, within the bounds of reason, or not positively absurd, which he could not carry through. In England things were not pushed to such extremes; but in the United States and in Canada things were carried to such lengths, and the British Constitution was so elastic that it failed to offer the necessary resistance. There was the Seat of Government (the history of which the Hon. member gave) now fixed at Ottawa, and he would ask the House, in all sincerity, if there were fifteen members who really approved of the choice. It was clear we could not go on at the rate we

had been doing without going to destruction. The public expenditure had arisen from \$4,000,000 to \$9,000,000, and the Public Debt from \$29,000,000 to \$70,000,000 since the present Government came into power, and in order to meet this the Customs duties had increased frightfully. In 1857 they were 14½ per cent. in 1858, 16½ per cent.; in 1859, 19 per cent.; and in 1860 —. The fact was we had reached the utmost limit of the burdens the people were able to bear, and it became absolutely necessary to pause in that course.

The Hon. gentleman then went on to review the Tariff for the past few years, showing that under Mr. Galt's rule the duties on all the imports had been greatly raised; and yet that, notwithstanding these additional burdens laid upon the people, the debt of the Province, so far from diminishing, had enormously increased, until it was now over \$20,000,000. This was a dreadful state of things; but it was rendered far worse from the fact that there did not seem to be any prospect of a favorable change. The Finance Minister had given hope last year that a favorable change was at hand; but the calculations on which he based his views turned out to be fallacious—for in 1859 there turned out to be a deficiency of over a million dollars; while in 1860—the present year—despite all the fair promises, there was a deficiency of over \$2,000,000. Despite these plain facts the Finance Minister was flattering the country with bright prospects; but he (Mr. Brown) was afraid that they could not be realized under the present extravagant system of government. With regard to the remedies which it was proposed to apply to the evils of the existing system: Representation by Population he (Mr. Brown) believed the Lower Canadian members would never agree to. The Double Majority system was also suggested as a remedy; but this also he considered impracticable. He did not think that it ought to be adopted as long as the present system lasted. He did not wish to see the rule established that every Government should have the majority of both sections of the Province. Representation by Population would give partial relief; but it would not give any relief to the present Executive evils which existed. Neither would the Double Majority system. A written Constitution was also proposed; but this also he considered insufficient. He believed it would be all the better if the heads of the Government Departments were out of the House; for then Hon. gentlemen would be apt to vote upon public measures not as if they were afraid of turning Ministers out of their seats, and legislation would be more in accordance with common sense. But, however desirable, the project was not feasible. Hon. gentlemen on the other side of the House said that a Federation of all the Provinces was the proper remedy. He (Mr. B.) did not think so. By this scheme, the Province would only embarrass itself. At present there were only two sections of people to govern, and the difficulties which presented themselves were great enough. By adding more Provinces, more

embarrassments would be added to those already existing. At the same time, it was his opinion that there was a great future open to this Province. The time would come, no doubt, when the Provinces would be separated from the Mother Country; and although he hoped, as far as Canada was concerned, that that day was far off,—yet, when it did come, such a Federation would be of great use. It presented the means of bringing in the great North West Territory, when such a project was thought feasible,—and also of uniting together all the Lower Provinces with Canada. Such a scheme as this was open to the people whenever they desired it. But at present it was premature. What was wanted now was that Lower Canada should take charge of her own local affairs, and also that Upper Canada should take charge of hers. He would like to know what injustice there was in that? He could tell the House that the people of Upper Canada were so dissatisfied with the present state of things, that they were prepared to go into the consideration of any scheme, and he believed a "joint authority" would not prove unsatisfactory. The people of Upper Canada were prepared to take the best thing that they could get. It is said, however, why is not something more explicit laid down? He would say that at the present time Upper Canada was prepared to accept anything reasonable, provided she were allowed the management of her own affairs. If he were to express his own opinion on the meaning of a "joint authority," he would say let it be as limited as possible. If possible, let it be defined in writing. This was, however, merely his own opinion. He believed that it would secure good government, and raise the Province to a high position. He would ask why should there be a repetition of the scenes that the country had witnessed for some time back—one section of the Province overruling the other section, imposing distasteful laws and inflicting grievous burthens. He did not think that this state of things was solely attributable to the people of Lower Canada. He believed that if they were left to themselves that they would enunciate measures much more in advance of present ones. With regard to the objects of the General Government, they were subjects for discussion. Let it be conceded as a just principle that each section of the Province has the right to manage its own local affairs, and then the details of the General Government could be easily settled. There were many things common to both sections of the Province that would then be under the supervision of a General Government:—such as the Public Debt, the navigation of the St. Lawrence, and other affairs. Each section should however manage its own Public Lands. The Post Office and the Militia might be managed either way. The Public Works might come under the local governments, as far as possible. Those situated in each section of the Province might be purchased by such section. Such Public Works as were common to both sections of the Province should necessarily come under the General Government.

These were, however, merely his own opinions, and might not be concurred in by all of his friends. The real question was—was there a necessity for a change? If there was, the principle being conceded, details could easily be arranged. He hoped that Hon. gentlemen would excuse him for trespassing so long upon their time. The importance of the subject could not be overstated, and he hoped that it would receive that due consideration which it deserved.

The Hon. gentleman then sat down amidst cheers.

BROCKVILLE AND OTTAWA RAILROAD COMPANY.

The BILL further to amend the Act incorporating the Brockville and Ottawa Railway Co. was read a third time.

HOUSE IN COMMITTEE ON PRIVATE BILLS.

BILL to separate the Counties of Lennox and Addington from the County of Frontenac, for Judicial, Municipal and other purposes (and Report thereon—"preamble not proved.")—Mr. *Roblin*.

BILL to incorporate the Annuity and Guarantee Fund Society of the Bank of Montreal—(and amendments).—Mr. *Dunkin*.

BILL to repeal the Act intituled "An Act to incorporate the Sherbrooke Cotton Manufacturing Company;" and to incorporate the Sherbrooke Manufacturing Company;"—(and amendments).—Mr. *Pope*.

BILL intituled "An Act to repeal the Acts Incorporating the Toronto Mechanics' Institute," and to permit the said Institute to be incorporated under the general Act Incorporating Mechanics' Institutes, (from Legislative Council, and amendments).—Mr. *Robinson*.

BILL to incorporate the Windsor Improvement Company, (and amendments)—Mr. *McLeod*.

BILL to extend the Charter of the Gore Bank, (and amendments).—Mr. *Buchanan*.

BILL to incorporate the Village of Merrickville (and amendments)—Mr. *McCann*.

BILL to incorporate the St. Lawrence North Shore Navigation Company, (and amendment).—Mr. *Desaulniers*.

BILL to incorporate the St. Patrick's Literary Association of Montreal, (and amendments).—Mr. *McGee*.

BILL to incorporate the Town of Ingersoll, and divide the same into Wards, (and amendments).—Mr. *Connor*.

BILL to establish and confirm the side lines of the lots in the Township of Clarendon, in the County of Perth, (and amendments).—Mr. *Henth*.

BILL to incorporate the Town of Sorel, (and amendments).—Mr. *Sincennes*.

BILL to provide for the consolidation and liquidation of certain debts of the Town of Guelph, not affected by the Act respecting the Consolidated Municipal Loan Fund, (and amendments).—Mr. *Stirton*.

BILL to enable the Rector and Church Wardens of the Church of St. Paul, at Woodstock, to

sell certain lands belonging to the said Church, —from Legislative Council—(and amendments).—Hon. Mr. *Foley*.

SECOND READING OF PRIVATE BILLS.

The following Private Bills were read a second time:

BILL to amend and extend the provisions of the Act 22, Vic., cap. 74, to enable the Corporation of the Town of Dundas, to issue Debentures not exceeding a certain rate of interest, and to regulate special rate for the redemption thereof. Mr. *Notman*.

BILL to confirm and establish the present side roads in the 3rd and 4th and 5th Concessions of Beverly—Mr. *Notman*.

BILL to erect into a Village Municipality a certain part of the Parish of St. Christopher, in the County of Arthabaska—Mr. *Dunkin*.

BILL to amend an Act to incorporate certain persons therein mentioned, under the name of the Metropolitan Fire Insurance Company—Hon. Mr. *Dorion*.

BILL to erect the parochial divisions of St. Hubert, in the Parish of St. Antoine de Longueuil, in the County of Chambly, into a separate Municipality—Mr. *Jobin*.

BILL to amend the Act 22 Vic., cap. 3, and to provide for the selection of the County Town of Bruce—Mr. *Holmes*.

BILL to incorporate the Pilots for and below Quebec, (from Legislative Council).—Hon. Mr. *Cauchon*.

BILL to amend the Act to incorporate the Town of Lindsay, (from Legislative Council).—Mr. *J. Cameron*.

BILL to amend the 20 Vic., cap. 44, in reference to the Eastwood and Berlin Company—Hon. Mr. *Foley*.

The House then adjourned, at 2 A. M.

LEGISLATIVE COUNCIL.

QUEBEC, Tuesday, May 1, 1860.

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

BILLS READ A THIRD TIME.

The following Bills were reported from Committee, and read a third time:

BILL to divide the Township of Sandwich into two Municipalities.

BILL to incorporate the Academy of St. Romuald de Farnham.

BILL to amend the Common School Act.

BILL respecting the Northern Railroad.

BILL respecting Penalties.

BILL respecting Indemnity to members.

CONSTITUTIONAL CHANGES.

The following notice of motion having been read by the Clerk:

"The Union Act affording no check against the increase of the Public Debt, or for the restraining the Public Expenditure, or for creating a Sinking Fund for the existing debt of the Province; and Constitutional Changes being ren-

dered imperatively necessary,—that an humble Address be presented to Her Majesty, praying that Her Majesty may be pleased to authorize His Excellency the Governor General to take immediate steps for the election, by the Parliamentary electors of the Province, of twenty-four Delegates, (twelve from each section of the Province,) to a Convention, charged with the preparation of a Constitution for the future Government of Canada, and for the submission of the same when prepared, for the approval or rejection of the people of the Province, and subsequently of the Imperial Parliament.

Hon. Mr. MORRIS said, that when he gave notice of those resolutions last Session, he intended to go on with them—but now he thought that he would best discharge his duties to the country by not going on with them. At the same time he must say that they contained startling truths which ought not to be forgotten. He confessed that he did not believe that a mere change of men would be productive of much good to the country, as long as the present system lasted. Under this system the expense of legislation and the debt of the country largely increased. In 1839, the expense was only \$1,325,000; the debt of Upper Canada, \$6,142,000. In 1849, the expense was \$2,500,000, and the Debt of the Province, \$22,133,000. In 1859, the expense was over \$11,000,000, and the debt, \$69,293,000. Some remedy should be sought to check this growing evil. Was it not possible for the Legislative Council to do so. He thought the time had come when the Council should assert a right to amend money Bills from the Assembly; and he was sure that when all the elective members had taken their seats, that the Council would do something more than merely pass through the Bills from the Assembly. Before withdrawing his resolution, he would say that, if his life was spared, he would introduce those resolutions again next year—if he could see by so doing he would benefit the country.

Hon. Mr. ALEXANDER said, that in his opinion such was the present bad state of public affairs, that the people had lost all faith in responsible Government. They felt that they had lost the control of the public expenditure, while millions and millions had been added to the public debt. He did not find fault with the expenditure for the Grand Trunk Railroad. He always thought it a great work. But at the same time he thought that it might have been carried on without loss to the country and to the shareholders. He considered that the Government, in regard to this work, were pursuing a suicidal policy towards the English Capitalists. Their interests had not been properly attended to, and the effect would be that they would in future invest their money elsewhere than in Canada. The Western extension of the Grand Trunk, and Eastern extension, constructed in consequence of it, had not benefitted that undertaking. The spirit of sectional legislation which led to this was much to be deplored. Instead of legislating for the good of the whole

Province, Hon. gentlemen, it was notorious, were often returned to the House, pledged by their constituents to a measure by which the Province would have to assume the debt incurred by the Municipality. This was a most distressing feature. The Hon. gentleman again alluded to the mis-government of the Province, and said that he wondered that many persons in Lower Canada did not join with their Upper Canadian brethren in seeking for a beneficial change. As long as the people of a country had no confidence in the Government, it was madness to look for a large emigration—an emigration especially of men of substance, a class much wanted in Canada at the present moment, when it was but too true, that the more property a man had, the deeper he was involved in difficulties. To revert once more to what he had stated, be believed that if the Council insisted on the right to amend Money Bills, there was no clause in the Union Act which could prevent them from exercising that power.

Hon. Mr. VANKOUGHNET said, that the honorable gentleman who had just sat down never addressed the House without instructing it; an observation which however, he could not apply to the Honorable gentleman who had preceded him (Mr. Morris). That Honorable gentleman in adverting to the Public Debt, forgot to tell the House that all the liabilities under which the country labored—with one exception, that of the aid for the Ocean Steamers—were incurred by the Government of which he (Mr. Morris) was a member. And the greatest difficulties which the present Government experienced, since he (Mr. Vankoughnet) had joined, was in meeting those very liabilities. Additional burthens had to be laid upon the people in order to meet some of the obligations entered into by the Government of which he (Mr. Morris) was a member. The Grand Trunk was one of them—and notwithstanding the burthen that it for the moment entailed, the present Government felt bound from its importance to the country to carry it through. How easy would it have been for the Government to have strangled that measure at its birth, if they felt inclined to shirk the responsibility of it? They could easily have done so. But they chose to carry it out in a manly and statesmanlike manner. All the obligations contracted by the Government of which the Hon. gentleman was a member, were also met in the same straightforward spirit. If any Hon. gentleman doubted that all the liabilities entailing burthens upon the people—with the one exception of the Ocean Steamers—were contracted by the Government of which the Hon. gentleman (Mr. Morris) was a member, let him turn to the Public Accounts, and there he would see the statement substantiated. The same Hon. gentleman (Mr. Morris) had on former occasions contrasted unfavorably the department over which he once presided—the Post Office—with what it used to be.

Hon. Mr. MORRIS begged to contradict the Hon. gentleman. He had not done so.

Hon. Mr. VANKOUGHNET was wrong then. But it was a fact that a member of the Council then absent, had for two Sessions carried the returns of that department in his pocket, and challenged in vain the Hon. gentleman (Mr. Morris) to ask for their production, in order that the true value of the comparison might be seen. The Government of course could not produce them, until they were asked for.

Hon. Mr. MORRIS must protest against the assertions of the Hon. Commissioner of Crown Lands. They were not in accordance with the fact. So far from it, he studiously avoided all allusions to the Post Office Department, for the very reason that he himself had once the honor to fill the Office of Post-Master General.

Hon. Mr. VANKOUGHNET was satisfied. He merely did not wish it to go forth to the country that the present Government were responsible for the present indebtedness of the Province. Why, the representatives of the people in the Houses, and the very people themselves, had been guilty of more extravagance than any Government would dare to venture on; and the Reform, to be effectual at all, must commence there. Hon. gentlemen should also remember that it gave the Government no pleasure to lay additional burthens on the people. Increasing the taxes was not the way in which to make a Government popular. And so far from increasing the burthens it was the great object of the present Government to reduce them; and also to cut down the expenditure to the smallest possible point. This could not be done all at once. Employees could not be suddenly turned out in the street; and yet, although it was the great desire of the Government not to take on any more clerks in any of the departments, they were besieged every day by members of both Houses beseeching them to put such and such a friend of their son for three or six months, at two dollars, or three dollars and a half a day. On such occasions Hon. gentlemen never thought of the extravagance of the expenditure. And he (Mr. Vankoughnet) very much doubted if he would not be more blamed for keeping down than increasing the expenditure by those gentlemen. The Government was charged not only with being guilty of bringing about a depressed state of the country, but also with the misfortunes of individuals. It was not fair to do so. The Government had always acted for the good of the country, and always would act for its good.

Hon. Mr. MORRIS begged to state that in the remarks that he made he did not allude to the present Government. He merely reviewed the state of the country. With regard to the Grand Trunk Railroad he would assume the responsibility of that measure. He considered it a great work, and worth all that had been spent upon it.

Sir E. P. TACHE wished to remark that the Eastern extremity of the Grand Trunk, to Riviere du Loup, was about to be as profitable a section as any on the line. No less than 250 passengers came over it the other morning.

ORDNANCE LANDS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill respecting the Ordinance Land Reserves. The object of the Bill was to apportion certain of those lands amongst the enrolled Pensioners—and also to remove certain difficulties which lay in the way of issuing patents to those pensioners.

The Bill was read a second time, and referred to a Committee of the Whole, from which it was reported without amendment.

SECOND READINGS.

The following Bills (from the Legislative Assembly) were read a second time:

BILL—Montreal Ladies' Protestant Orphan Asylum—Hon. Mr. *Ferrier*.

BILL—Drummond and Arthabaska Railway—Hon. Mr. *Ferrier*.

BILL—South-Eastern Mining Company's incorporation—Hon. Mr. *Ferrier*.

BILL—Montreal Grand Trunk Railway Terminus—Hon. Mr. *Masson*.

BILL—Montreal New City Gas Company—Hon. Mr. *Morris*.

BILL—Melbourne Female Seminary—Hon. Mr. *Moore*.

BILL—Niagara and Detroit Rivers Railway Bill—Hon. Mr. *Prince*.

BILL—British American Investment Company—Hon. Mr. *Patton*.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, May 1, 1860.

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

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to regulate the application of Timber Duties towards the price of Public Lands.—Mr. *Heath*.

BILL (from Legislative Council) respecting the Line of Division between Upper and Lower Canada.—Hon. Attorney General *Cartier*.

BILL (from Legislative Council) to prevent Abuses in the Execution of Notarial Deeds.—Mr. *Panet*.

BILL (from Legislative Council) further to Amend the Act incorporating the Metropolitan Gas and Water Company of Montreal.—Mr. *John Cameron*.

PROVISION FOR CIVIL SERVANTS OF THE PROVINCE.

Hon. Mr. SHERWOOD moved that on Wednesday next the House resolve itself into Committee of the Whole to consider the following Resolution: That, for the purpose of establishing a superannuation and annuity fund for the civil servants of the Province, it is expedient to authorize the Government to apply out of the Monies appropriated for the Civil Service and Collection of Revenue the sum of \$ yearly for seven years from 1st January, 1860.—*Carried*.

BILLS READ A THIRD TIME AND PASSED.

BILL to incorporate the Annuity and Guarantee Fund Society of the Bank of Montreal.—Mr. *Dunkin*.

BILL to repeal the Act intituled "An Act to incorporate the Sherbrooke Cotton Manufacturing Company," and incorporate the Sherbrooke Manufacturing Company.—Mr. *Pope*.

BILL intituled "An Act to repeal the Acts incorporating the Toronto Mechanics' Institute, and to permit the said Institute to be incorporated under the general Act incorporating Mechanics' Institutes," (from Legislative Council).—Mr. *Robinson*.

BILL to extend the Charter of the Gore Bank.—Mr. *Buchanan*.

BILL to incorporate the Village of Mirrickville.—Mr. *McCann*.

BILL to incorporate the St. Lawrence North Shore Navigation Company.—Mr. *Desaulniers*.

BILL to incorporate the St. Patrick's Literary Association of Montreal.—Mr. *McGee*.

BILL to incorporate the Town of Ingersoll, and divide the same into Wards.—Mr. *Connor*.

BILL to establish and confirm the side lines of the lots in the Township of Clarendon in the County of Perth.—Mr. *Heath*.

BILL to incorporate the Town of Sorel.—Mr. *Sincennes*.

BILL to provide for the consolidation and liquidation of certain debts of the Town of Guelph, not affected by the Act respecting the Consolidated Municipal Loan Fund.—Mr. *Stirton*.

BILL intituled "An Act to enable the Rector and Church Wardens of the Church of St. Paul at Woodstock to sell certain Lands belonging to the said Church," (from Legislative Council).—Hon. Mr. *Foley*.

BILLS READ A SECOND TIME.

BILL to annex a certain portion of the Township of Halifax, in the County of Megantic, to the Township of Ireland, in the same County.—Mr. *Dunbar Ross*.

BILL intituled "An Act respecting the Management of the Indian Lands and Property," (from the Legislative Council).—Hon. Atty. General *Macdonald*.

BILL to amend the 10th sub-section of the 55th chapter of the Consolidated Statutes for Upper Canada, (from the Legislative Council).—Hon. *J. A. Macdonald*.

BILL respecting the 96th chapter of the Consolidated Statutes for Upper Canada.—Hon. *J. A. Macdonald*.

BILLS PASSED THROUGH COMMITTEE.

BILL to incorporate the St. Bridget's Asylum of Quebec (and amendments).—Hon. Mr. *Cartier*.

BILL relating to the Port Burwell Harbor Company.—Hon. Mr. *Rose*.

BILL respecting Free Ports of Entry.—Hon. Mr. *Galt*.

BILL for incorporating and granting certain powers to the Agricultural Loan Association of Canada (and amendments).—Hon. Mr. *Sherwood*.

COMMITTEE OF SUPPLY.

Hon. Mr. *GALT* moved the adoption of the Report of the Committee of the Whole on Supply. On the item of \$12,500 for the expenses of the Militia, incident to the visit of the Prince of Wales.

Hon. Mr. *BROWN* moved in amendment, "that while prepared to make ample provision for the reception of His Royal Highness the Prince of Wales, this House yet conceives it the duty of Parliament that no partial grant, such as the proposed item, should be made, but that the whole appropriation for the expenses of His Royal Highness' visit should be submitted for the formal consideration of Parliament, in order to embrace the whole necessary expenditure in one vote." He believed the object of the Hon. gentleman opposite was to make political capital out of this visit. The opinion was spreading every day that it was intended to make as much capital as possible out of it, and then hold a general election immediately afterwards. His amendment was designed to make the reception as general and as cordial as possible, and entirely free from party feeling. If that was the wish of the Government, there could be no objection in asking for the appropriation piecemeal, and for purposes which nobody could understand. There must have been some correspondence between the Imperial Government and the Hon. gentlemen opposite, on this subject, and he thought the House was entitled to know what it was. But, at all events, a Committee should be appointed forthwith, and they could no doubt make such arrangements as would be satisfactory to all parties.

Hon. Mr. *CARTIER* regretted that the Hon. member for Toronto had endeavored to impress the House and the Country with the idea that the approaching visit was to be made a party affair.

Hon. Mr. *BROWN*—I believe it is.

Hon. Mr. *CARTIER*—I have only to say that both his fear and his rumour are entirely unfounded.

Mr. *PATRICK* said, he felt as strongly as the Hon. member for Toronto, that the conduct of the Government was open to the suspicion that their intention was to make the visit of His Royal Highness the Prince of Wales, subservient to their party interests.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in Both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, May 1, 1860.

COMMITTEE OF SUPPLY.

(Concluded from our last No.)

Hon. Mr. GALT said, he was surprised the Hon. gentleman should make such a remark in the face of the explicit declaration of his Hon. friend the Attorney General East. It was somewhat singular, he must say, that the association of the visit of His Royal Highness the Prince of Wales, with the politics of the country, should be made only by Hon. gentlemen on the other side. One would really fancy that it was their wish that the politics of the country should be forced upon His Royal Highness. That the Hon. member for Cornwall and the Hon. member for Toronto should feel themselves at liberty to make the statements they had done was much to be regretted. Neither himself nor any one else on that side of the House would follow in this course, because they felt assured that, however much members of this House might be divided on our own local subjects, they would be united in paying respect to the Heir Apparent. (Hear, hear.)

Dr. CONNOR was sorry that any political feeling should be mixed up with the subject, but from the course of the Government in keeping the House in entire ignorance of the steps proposed to be taken to give His Royal Highness a becoming reception, there seemed to be but too strong grounds for believing that it was their intention to make that visit contribute to their political interests. It was unfair to taunt that side of the House with wishing to mix up politics in this matter, since it was entirely disavowed, and a feeling just the reverse professed, and no doubt with the greatest sincerity. He was only surprised that the Government should object to the very reasonable proposals made by the Opposition to sink all differences in connection with the subject, so that the reception might be what it should be, entirely successful.

Hon. Mr. FOLEY said that when the subject was first mooted, the Opposition were invited to join cordially in the invitation and in the means to be employed for giving the visit a proper character, but since then the thing had taken another direction, and it appeared but too evident that the fears entertained of the intentions of the Government to give the matter a partizan character were but too well founded. What meant the partizan addresses of several Municipal Councils to the Governor General if they did not mean this, and what meant the keeping of the arrangements altogether in the hands of the Government if not to make political capital out of the visit. Let the Government but meet the Opposition in the spirit of fairness in this matter, and they would see how cordially they would have their co-operation.

Mr. DUNBAR ROSS expressed opinions very similar to those enunciated by the previous speakers, but it seemed to him that very slender preparations were being made to celebrate the approaching event with proper spirit.

Mr. GOWAN did not believe that the Government had any idea at all of making the Prince's visit what was alleged by the Opposition, but if they did, so far from gaining any thing by it, he believed, they would only incur universal condemnation.

Hon. J. S. MACDONALD feared there was too much truth in the remarks made by some Hon. members near him, charging the Government with intending to make the Prince of Wales's visit the means of acquiring political capital. It was too good a chance to be lost, and they would most probably avail themselves of it. He would say that he was hardly disappointed at the course intended to be pursued, and although he had made what he considered a very fair proposition, yet he suspected even then that it would not be accepted or practically availed of. He had shown the list of the Committee he proposed to name for making the necessary preparations to some members of the Government, and had expressed his willingness if it was not approved of to modify it, but to

the present it had been quite disregarded, and in all probability would be set aside altogether.

The amendment of Mr. BROWN was then put and lost on the following division :

YEAS:—Messrs. Aikins, Bell, Biggar, Brown, Burwell, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Jobin, Labege, D. A. McDonald, John S. McDonald, Mattice, McGee, McDougall, Mowat, Munro, Papineau, Patrick, Piché, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Thibaudeau, Wallbridge, White and Wilson—35.

NAYS:—Messrs. Abbott, Baby, Buchanan, Burton, John Cameron, Campbell, Carling, Caron, Cayley, Atty.-Gen. Cartier, Cauchon, Chapais, Cimon, Coullée, Dawson, Désaulniers, Dionne, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hébert, Holmes, Labelle, Loux, Langevin, Laporte, LeBoutillier, Macbeth, MacLeod, McCann, Meagher, Ouimet, Panet, Playfair, Robinson, Roblin, Rose, R. W. Scott, Sherwood, Simpson, Starnes, Tassé, Tett and Turcotte—53.

The item was then carried on a division.

The remaining item of the report was then adopted.

The House then adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Wednesday, May 2, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

MEETING OF PARLIAMENT.

Hon. Mr. ALEXANDER moved that an humble Address be presented to His Excellency the Governor General, respectfully representing the advantages of summoning Parliament at an earlier period, and expressing the hope that it may hereafter be convened for the despatch of business not later than the 20th January in each year.

Hon. Mr. VANKOUGHNET hoped that his Hon. friend would not press his motion. It was not wise or desirable in the Council or either branch of the Legislature to be continually putting on their journals such advice as that contained in the motion. Not that the Government did not intend to follow such advice. The Government did intend to follow it. But if it was not possible for the Government to follow it—then the Government and the House would be brought into antagonism. The matter had been fully discussed in the other House, and the wishes of the House to meet at an earlier period in the year were carried out as far as possible. Last year the Parliament met at the time suggested. This year, it was impossible to do so, inasmuch as the Houses were not ready. Besides both the Financial Minister and the Post Master General were absent in England on most important public business. However, the Government were desirous to carry out the wishes of the members as far as possible, and they could not be more so if fifty addresses were passed.

Hon. Mr. ALEXANDER withdrew his motion.

BILLS READ A THIRD TIME.

The following Bills were read a third time:—
BILL to Incorporate the Melbourn Female Academy.

BILL to Incorporate and grant powers to the British Investment Company.

BILL to confirm certain Side Roads, and to provide for the defining of other Road allowances and Lines in the Township of Vaughan.

BILL respecting Ordnance Lands in Upper Canada.

BILL to restrict Interments in Quebec.

BILL to Incorporate the St. Lawrence Mining Company.

BILL respecting Apothecaries and Chemists.

PAPER MAKING.

Hon. Mr. ALLAN presented the Report of the Committee to whom was referred back the Bill to extend Letters Patent to Mr. Newton, for certain improvements in Paper-making. The Committee reported that the Bill be not passed.

Hon. Mr. DEBLAQUIERE, seconded by Hon. Mr. VANKOUGHNET, moved that the report be concurred in.

Hon. Col. PRINCE moved in amendment, that the report be not concurred in, but that the Bill be read a third time.

The amendment was lost on a division.—Contents, 12; Non-contents, 21.

SURRENDER OF OFFENDERS TO THE UNITED STATES.

Hon. Col. PRINCE moved the second reading of the Bill to provide for the Surrender of Offenders to the United States Government. The object of the Bill was to empower the Governor General to send back to the United States, notorious criminals who did not come under the Ashburton Treaty, upon proper representation being made to him.

Hon. Mr. VANKOUGHNET requested his Hon. friend to postpone his motion for some time. He was not prepared to give his consent to the Bill; and should like to consult the Attorney General as to whether the House could proceed in the matter without the intervention of the Imperial Government.

Hon. Col. PRINCE postponed his motion until Friday.

SECOND READINGS.

The following Bills from the Legislative Assembly, were read a second time:

BILL—Municipal Institutions amendment, U.C.

—Hon. Mr. *Vankoughnet*.

BILL—Berthier Common Incorporation.—Hon. Mr. *Masson*.

BILL—British American Manufacturing Company.—Hon. Mr. *Ferrier*.

BILL—Property partition under Foreign Marriage regulations, Lower Canada.—Hon. Mr. *Panet*.

BILL—Minors and others' Property, Lower Canada.—Hon. Mr. *Panet*.

COMMERCIAL COMPANIES' LIABILITIES.

Hon. Mr. MACDONALD introduced a Bill to facilitate the winding up of the affairs of Commercial Companies, unable to meet their liabilities.

The Bill was read a first time.
The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, May 2, 1860.

Mr. SPEAKER took the chair at 11 o'clock, A. M.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL respecting Trade Works—Hon. Mr. *Rose*.
BILL to divide the Township of Hemingford into two separate Municipalities—Hon. Mr. *Rose*.

BILL to establish and continue a survey in the Township of King—Mr. *Wilson*.

TOWN OF INGERSOLL.

Dr. CONNOR moved the third reading of the Bill to incorporate the Town of Ingersoll, and divide the same into Wards.

Mr. ANGUS MORRISON moved that it be read a third time this day six months.—Yeas, 33; Nays, 69.

The Bill was then read a third time, and passed.

BILLS READ A THIRD TIME.

BILL to incorporate the St. Bridget's Asylum Association, of Quebec—Hon. Mr. *Cartier*.

BILL respecting Free Ports of Entry—Hon. Mr. *Galt*.

BILL relating to the Port Burwell Harbor Company—Hon. Mr. *Rose*.

BILL for incorporating and granting certain powers to the Agricultural Loan Association of Canada—Hon. Mr. *Sherwood*.

BILL to amend the 10th sub-section of the 9th section of the 55th chapter of the Consolidated Statutes of Canada, respecting the Assessment of Property in Upper Canada—Hon. *J. A. Macdonald*.

COMMON LAW PROCEDURE ACT.

On the motion of Hon. J. A. MACDONALD, the amendments made by the Legislative Council to the Bill to repeal certain provisions of the Common Law Procedure Act, were read a first and second time.

SUPERANNUATION AND ANNUITY FUND.

Hon. Mr. SHERWOOD moved the House into Committee on the resolution, relative to the Superannuation and Annuity Fund. He explained that it was proposed to appropriate \$30,000 a year for seven years towards the establishment of the fund. The per centage proposed to be charged was two and a half per cent on salaries of \$600 and under, and three per cent on salaries over that amount. It was proposed that the period at which the Superannuation allowance

would be granted was sixty-five years of age, and no person would be entitled to it unless they had been seven years in the public service, except in cases of physical infirmity. The employees of the Legislature as well as the civil servants employed directly by the Crown, were included in the scheme. There were forty persons who would at once come under it.

Hon. Mr. BROWN desired a more satisfactory explanation.

Hon. Mr. GALT said, the Legislature granted a certain sum yearly for the payment of the civil servants, and this Bill was merely intended to make a new application of money already granted. No servants would be entitled to the advantages of this fund until they had been seven years in the service. They would then be entitled to 20 per cent on their salaries, and an addition of 2½ per cent every year. So that after thirty-five years the allowance would amount to nine-tenths of their salaries. There would be no further charge whatever upon the public, and he thought the Hon. gentleman ought to be allowed to place it in a position to introduce his Bill for consideration.

The House then, at one o'clock, adjourned.

[SECOND SITTING.]

Mr. SPEAKER resumed the Chair at four o'clock.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL for the protection of the Water Works of the City of Quebec—Mr. *Langevin*.

BILL respecting Foreign Judgments—Hon. Mr. *Cartier*,

BILL concerning the Inspection of Flour—Hon. Mr. *Rose*.

SUPERANNUATION AND ANNUITY FUND.

Hon. Mr. SHERWOOD again moved the House into Committee on his resolution, relative to a Superannuation and Annuity Fund.

Hon. Mr. BROWN asked for further explanations.

Hon. Mr. SHERWOOD further explained the proposed scheme, and contended that while the superannuated public servants would be provided for, there would be also an actual saving to the Government, in the salaries of the employees.

Hon. Mr. BROWN moved in amendment "that the House do not now go into Committee of the Whole, on the said resolutions, but that the consideration of the subject be postponed until the details of the pension scheme upon which the money is to be expended, have been laid before the House in a printed form." It was a matter of great importance to the country, and should have been brought up earlier in the Session. The scheme could not be consented to by the House until they were in possession of full particulars of what was proposed. He believed the whole object was to draw the House into a pension scheme which would prove a complete failure, and result as it had done in England, in attaching a direct pension to each office. He would like to know also whether in case the funds proved insufficient, the Government would

be pledged to grant the full allowance. He really hoped the House would not vote away \$210,000 until they knew first how it was to be used.

Hon. Mr. GALT said it was absolutely necessary, before the details could be discussed, that the House should be in Committee. The civil servants of the Government asked to be allowed to make provision for their old age by appropriating a small sum out of their very moderate salaries, and he thought that the Hon. member for Toronto need not have applied the obnoxious term of "pension scheme," to the plan proposed for that humane object. This measure would have the effect of preventing the frequent painful appeals made to the House by old and faithful servants, who were destitute in their old age. It would also promote the efficiency of the public service, by encouraging young men to enter the offices. The Hon. member objected to the lateness at which the measure was brought in, and as a similar one had been introduced last year, he said it should have been renewed in time to allow of its being properly considered, which it would not now be, but he (Mr. Galt) thought there was now ample opportunity of giving it all proper consideration. The measure of last year might have been passed, but as it was not approved of by the civil servants themselves, it had been dropped. The scheme now introduced, however, was somewhat different in the details, and was accepted by the civil servants generally as being fair and equitable.

Mr. McDUGALL said, that the salaries were sufficient to enable the recipients to make provision for their old age, but if they were not, they should be increased. The best proof that the salaries were sufficient, was that no sooner was an office vacant than a host of applicants were ready to accept the salary and do the duties. Public servants were like other people, and if they failed to make provisions for their families, upon them be the consequences. He understood that Mr. Cary had been receiving \$28,000 a year for five years, without doing the duties, and it was to such payments he objected. The results of the scheme to the tax-payers would be that the contributions of the employees would not meet the claims upon the fund, and they would have to pay the balance. He was sure the measure would be a very unpopular one in Upper Canada.

The amendment was then put and lost on the following division.

YEAS:—Messrs. Aikins, Biggar, Brown, Bureau, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Jobin, Lemieux, Donald A. McDonald, McDougall, McKellar, Mowatt, Munro, Notman, Papineau, Patrick, Walker Powell, James Ross, Rymal, Short, Somerville, Stirton, Thibaudeau, Wallbridge and White—34.

NAVS:—Messrs. Abbott, Archambault, Baby, Benjamin, Buchanan, Burton, John Cameron, Campbell, Carling, Caron, Cayley, Att. Gen. Cartier, Cauchon, Coullée, Daly, Dauost, Dawson, Désaulniers, Drummond, Dufresne, Dunkin, Ferres, Fortier, Fournier, Galt, Gaudet, Gill,

Gowan, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Langevin, Laporte, Le Boutillier, Loux, Macbeth, McLeod, McCann, A. P. McDonald, McMicken, Meagher, Merritt, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Pope, Price, Robinson, Roblin, Rose, R. W. Scott, William Scott, Simpson, Sincennes, Tassé, Tett, Turcotte and Wilson—63.

The original motion was then carried, on a division, and the House went into Committee of the Whole. The blank in the resolution was filled up with "\$30,000," and the resolution adopted. The Committee then rose and reported.

TIMBER IN THE FORESTS OF LOWER CANADA.

Hon. Atty. Gen. CARTIER moved the second reading of his Bill to protect timber in the forests of Lower Canada, which was carried.

CONSTITUTIONAL CHANGES.

On the order of the day for the further consideration of Hon. Mr. BROWN'S Resolutions on Constitutional Changes being called,

Mr. BENJAMIN rose and said: He did not intend to follow the Hon. member for Toronto at length over the various points which he had selected for discussion in his long and elaborate speech, in which he had introduced no less than eighty different subjects. He did not intend to argue them, because in many instances they had been repeatedly investigated and decided upon in that House. He would not argue them then—nor would he discuss them at length at all; because he was satisfied that the topics had been produced for the purpose of introducing the great and real object which the Hon. member had in view, namely, that of arraying one section of the Province against another. Leaving therefore, for the present, and perhaps for the consideration and remark of some Hon. member, the points alluded to, he would confine himself to the discussion and consideration of those points involved in what may be considered the manifesto of the party led by the Hon. member for Toronto, and in the opinion of the Hon. member for Hastings, the very arguments advanced by the member for Toronto for the adoption of his Resolutions, are the very arguments which may be selected to induce the House to negative the Resolutions in the hands of the Speaker. He would remark at the outset that the Hon. member for Toronto had brought almost every point under the notice and consideration of the House, except the points contained in the Resolutions under consideration; and the embarrassment of which he complained was an additional point of weakness, for it had been called into existence by his own conduct as a public man. The House had heard nothing of the proposed Constitutional changes; but it had been treated to a long dissertation on the feelings said to exist in Upper and Lower Canada. He held in his hand the manifesto of the party, which was the speech of the Hon. member for Toronto; he had followed the gentleman step by step, and he was therefore prepared to remark upon his opinions without any hesitation,—without any

reluctance. He had heard of the intense feelings which the Hon. member said existed in Upper Canada upon this subject,—but what was the fact? how did the gentleman show the existence of this intensity of feeling? The House would remember the notice for the motion in the Speaker's hands had been given on the second day of the Session, nine weeks had elapsed, and it was now taken up. How had this intervening time been occupied? By sending forth to the people, who had such an intense feeling on this subject, printed petitions, to which they were asked to append their names. Several such petitions had been presented; but got up in the manner he (Mr. B.) described. They were not the spontaneous outbursts of the wishes of the people of Canada—the people were asked to send these petitions, and unless they had been asked for, the House would not have seen one of them. Therefore, in his opinion, the so-called intensity of feeling of the people of Canada upon this subject was mere moonshine. No such feeling existed, and the Hon. gentleman knew it, and so did all those who presented the petitions, and it was a mere attempt to impose on the House when this effort to show the existence of an anxiety upon the question was made. He spoke as a Representative from Upper Canada, and denied most distinctly that the inhabitants of Upper Canada desired such Constitutional changes; and as the Hon. member for Toronto had thrown down the challenge, and dared this side of the House to go to the Election upon it, he dared that Hon. gentleman, or his followers, to go to the people of Upper Canada upon the question how before the House, involving as it does revolutionary principles. But it was a very extraordinary feature in the present movement that it was retrograde, and this retrogression was proposed by that party who par excellence claimed to be the progressionists. Do they pretend, or can it be pretended, that increased strength will be given to the country if their proposition were to prevail? How could any man argue that by this separation they would be placed in a higher position than they were before. Let the House look back at the condition of the country before the Union, when Upper Canada was disunited from Lower Canada. The credit of neither was worth speaking of. Even in the early days of the Union it was uncertain, for when they wanted to borrow a sum of £1,500,000, they could not and did not go into the English money market without the Imperial guarantee. What was the case now? When the Finance Minister asked for a loan of £2,800,000, on the credit of the United Province, with its debt greatly increased from the time of the loan first mentioned, he was offered no less a sum than £22,000,000. Did any one pretend that Upper or Lower Canada separated would stand in a similar position? Certainly not. He (Mr. B.) had strenuously opposed the Union, when it was effected, and forced upon Upper as well as Lower Canada. The opinions of the people of Lower Canada were not sought, and the consultation

had with Upper Canada, was a mere piece of trickery, for every one well remembered the famous despatch published by the Governor General at the time of its discussion, warning all those who held seats in the House, and were in the employment of Government, to vote for the project of the Union, or they would be dismissed. But whatever arguments might have been of force in those days, must have been, and they were greatly modified in the lapse of twenty years. Since that day the country had risen from the obscure position of a small Province, to a position approaching to nationality; and having laboured and ventured so much, he did not think either the House or the people were prepared to throw up this position, and to fall back upon their former insignificant existence—a mere large Corporation, limited to Municipal powers and action. What would be the position into which the Hon. member for Toronto would drive the country? Upper Canada separated from Lower Canada could not maintain itself alone, and the Western section at least, would be forced into a political union with the United States. That might not be the object, but it would be the result of the present movement, if successful. (Hear, hear.) What would be their credit? Nil! Their social and political position, would be too insignificant to mention. And what would be their influence as a people? Would they be in a position to enter into treaties with foreign powers, as they had done for carrying the mails of the greatest and most influential States of Europe, and thereby bring the Roads and Canals we had constructed into successful and useful occupation? Would they be in a position to do anything for the extension of the Trade and commerce of the Country? What country would listen to a handful of people, powerless to effect any good either for themselves or the rest of mankind? No, the Country would never consent to this. Why did the Hon. member for Toronto complain of the influence of the members from Lower Canada upon Upper Canada questions? Was it not in the recollection of every Hon. gentleman of that House, how frequently, and in most fulsome and adulative terms, the Hon. member for Toronto had applauded the conduct of Lower Canada, for doing precisely that, of which he now complained. But in those days they assisted the Hon. gentleman—to day they oppose him, because they have no confidence in his proceedings as a public man. Did they not all remember, when he declared it would be the blackest ingratitude for Upper Canada to seek Representation by Population, as it would annihilate Lower Canada? Has he not over and over again declared that Upper Canada was indebted to Lower Canada, for a satisfactory adjustment of all the questions which led to the dissensions and troubles in the Upper Province? He taught them the value of their support—and now forsooth because that support was no longer given to the member for Toronto or his followers, they are declared to be an incubus upon the land, and we must be separated from

them. It was certainly singular that the member for Toronto, had not alluded in his speech to the question of Representation by Population, a question upon which he used to agitate the country from one end to the other. It had been abandoned and thrown aside as no longer useful or desirable. Why had he not alluded to the Separate Schools? Not one word was said about it. And the reason for the Hon. member's silence on them, his favorite subjects, is, that two years ago, he had unfortunately for himself, accepted office. In an *unguarded moment*, he had been tempted and he fell. And when he accepted office he had to give up his principles. Yes! he had to abandon the questions upon which he obtained power, and with which he had agitated the country for years and years, both as a Member and an Editor, and all this for the simple purpose of obtaining the aid and assistance, the support for his administration, of that section of the country he now proposes to lop off. The Hon. member for Toronto submits, that the resolutions which he has presented, will produce harmony between the two sections of the Province. Was it likely that harmony could, or would be produced by a separation of the two Provinces, in a manner that approaches to a violent separation. They do not pretend that their proposition will remove the evil whereof they complain, this is clear, for they say they are not wedded to this more than contemptible proposition, named *joint authority*, but they will take any remedy the House will give them. Then, he asked, if this was the case, what really was the value of the resolutions? He (Mr. Benjamin) said, cast them to the winds, let them go on as they were going on, assimilating the laws of Upper and Lower Canada, after the fashion and manner proposed by the Hon. Premier, who, by his system of Legislation for Lower Canada, was doing more to bring the people of the two Provinces together, than any amount of resolutions which could be submitted for the consideration of the House, by the Hon. gentlemen on the Opposition Benches. Let them continue the good work, and the slight difficulties which existed would all soon vanish, and be cast into oblivion. The Hon. member for Toronto admitted that there were difficulties in the way of the measure he had proposed—for the avoidance of which he did not see any remedy, and he (Mr. B.) could well imagine it. They forget that Canada was a Province governed by the laws of Monarchical England, and when these Constitution mongers all fail in their undertaking to amend a Monarchy, according to Republican rule, the propositions, as soon as framed, are found to be insufficient for the purposes contemplated. But what was it that the Hon. member for Toronto sought to substitute for the British Constitution under which they lived? Nothing but an undefined miserable subterfuge, which some canny man had called "*Joint Authority*," having learned the words from Lord Durham's despatch, and applied them ignorantly, as he (Mr. Benjamin) would show presently. Yes, the

Hon. member for Toronto had called a large body of individuals together at Toronto, and called that assembly a Convention. He (Mr. Benjamin) did not desire to detract from the standing position and integrity of the men called together, but to say that they were competent to meet and consult upon such grave and important matters as the changes to be effected in a Constitution, was what he would not believe, because he knew to the contrary. But, sir, there was a point of difficulty. These gentlemen of the Convention, who had been duped to give in their assent to a proposition, desired that no additional expense should be incurred, and at once foresaw, if Upper and Lower Canada were each to have their own local Legislature, there must be a supreme Legislature to govern matters of mutual interest, and which could not be managed by either of the localities apart. Oh—was the wise suggestion—it is not to be a Government like that which governed nowadays, oh no; but, then, the most important parts and duties of the Administration were to be given up to the management of a mere set of Commissioners, and to be well dubbed "*Joint Authority*." Never was impudence more consummate, never was trickery more complete than when this was suggested and carried. The Hon. member for Toronto would not stand up in his place in that House and state what he had stated to the Convention. Yes, this term of *Joint Authority* was very convenient—it had helped the Convention out of a difficulty, in fact, out of a quarrel. And what were the powers which were to be entrusted to it? It was to control the Public Debt, and arrange for paying the interest thereon; it was to take charge of the Navigation of the St. Lawrence; it had to regulate the imposition, collection and distribution of the Customs and Excise duties; it had to take into consideration the system of trade between this and foreign countries. Surely these were questions of very grave importance; they would require very large Executive powers, and a mere Commission could not attend to the duties. Yes, the leaders of the Opposition had concealed from their followers that the Government would have to possess great power,—would be a costly machine, while they talked glibly of Upper Canada and Lower Canada having local Legislatures to manage their own affairs. Then there was the Public Works and the Post Office, these he presumed would be regarded as but secondary matters to which few persons would pay any attention. Was it not a matter of the highest importance to the country that it should be clearly shown to foreign powers that Canada was the great channel through which all intercourse between this Continent and Europe should take place,—and was this a point not worthy of consideration, or was it worthy of so little consideration as to be made matter of indifference as to its management? Should the people of Canada be asked to abandon a question of so much importance to them for such a miserable piece of jugglery as was to be found embraced in these "*Joint Authority*" resolutions?

He thought not. And it was such pusillanimous conduct as this which fully justified the members on this side of the House for the manner in which they had supported the Administration! (hear, hear,) and yet the Public Works and the Public Debt, the Commerce of the country and its Finances, were all to be managed by and placed at the disposal of this miserable, nothing meaning Board of Commissioners, designated as "the *Joint Authority!*" Surely, no greater absurdity ever occurred to the mind of any man. This scheme was puerile, crude, ill-digested, and the House would set itself strongly against it. It would not lead to the amelioration of our institutions, it would tend to prevent our longer enjoying the blessings of the British Constitution. Yes, there were some who called the Union Act our *Constitution*, and when they did speak of our time-honored institutions, they sneeringly, and ignorant withal, declared that the Constitution of Canada, was but of yesterday. These persons mislead themselves and others, who listen to their flippancy. The law, which re-united the Canadas, was not a Constitution, it was only a law placing the people of Canada in a position to exercise British Constitutional authority, similar to that enjoyed by the people in the Parent State; and it was therefore, that he contended, that in seeking for remedies to remove the evils whereof the discontented complained, they should adopt monarchical and not republican doctrines. The member for Toronto had said, that the same views, which he advanced, had been advanced by others before him. This was admitted. But those who had abandoned them, had done so, because it was found they would not prove advantageous to the country; but rather that the best interests of the country would be sacrificed by them. There was not a shadow of a reason shewn in all the arguments which had been advanced in that House and in the Press, why this country which had taken its stand so firmly and advantageously of late, should divide itself up into different local Municipalities, to become a prey to each other, and to the world. It was a dangerous doctrine to advance, and if adopted, would make them the laughing stock of the world. (Hear, hear.) It was the desire of the people to live under the British Constitution, and to make such amendments in their laws as might be necessary, with their advancement, progress and increase of wealth and position to secure this object, and there lay the great difference between the Hon. member for Toronto and the gentlemen who composed the Government. The Government wished to ameliorate and improve their Institutions, according to the doctrines and theories of the British Constitution, while all the measures of the Hon. member for Toronto, possibly without designing it, were republican in their character, and tended to the overthrow of all. (Hear, hear.) He did not wish to see the two forms blended any further, but what would be the result of the separation of the Upper from the Lower Province? If Upper Canada should form an

independent Province, for a time, she would form her constant Commercial intercourse with our Republican neighbours, imperceptibly keep running towards that Country, until eventually she would be swallowed up by, and become one of the States of the Union. This he stated to be the distinct solution of the question they were asked to support, and the sweet, the melodious words of "Joint Authority," were employed to cheat men out of their senses. It may have succeeded at the Convention, he was sure it would not meet with the same success there. He would now allude to the great address which this Convention had caused to be prepared by its officers. There it was, he held it in his hand, a *perfect gem* in its way, which would cover with disgrace, even an infant mind. He would now call the attention of the House to the quotations read by the Hon. member for Toronto, quotations of speeches, made under peculiar circumstances. He, the Hon. member for Toronto, had selected the name of Burke, certainly no constitutional monger, and it was possible, that the Hon. member desired to compare great things with small. It would be remembered, that on the debate of the Canada Bill Burke and Fox had a most serious quarrel, in fact, it was on this debate that their misunderstandings culminated, and they never thereafter became friends. Did the same gentleman think of this, when he thought of the probable difficulties which might arise on this debate, between himself and the Hon. member for Cornwall; but he would proceed with the quotations. He quoted from the speech of Mr. Pitt:—

"If the Province were not divided there would be only one House of Assembly; and there being two parties, if those parties should be equal, or nearly equal in the Assembly, it would be the source of perpetual faction. If one of the parties should be much stronger than the other, the other might justly complain that they were oppressed."

In another part of the same speech he said,

"He believed there was such a *rooted opposition of interests* that if there was a constitution consisting of a House of Assembly in which the parties might be nearly balanced, the consequence, at least for a long series of years, would be, a great degree of animosity and confusion."

Could any one read this, and not at once say, the remarks were made under very different circumstances, than existed at the present time? Could any one for a moment doubt that Mr. Pitt would have given quite the reverse opinion now to what he gave then? It was clear, it was beyond dispute that the recent change, the great antagonism which was the result of conquests, the question of the superiority of position, the invasion of what were considered as established rights of the old Colonists who had to undergo the great change of nationality, all tended to produce this serious state of events, which called for the action taken by the Pitt Ministry, just in the same way as the Melbourne Administration sought to cure the evils which had been called into existence in 1837 united the two Canadas. But if there was any doubt upon this point, if it

could at all be questioned that he (Mr. B.) had not taken the right view of the opinions of Mr. Pitt in 1791, truly the quotation next used by the Hon. member for Toronto, and attributed to Burke, placed it beyond dispute. Mr. Burke says

"An attempt to join people dissimilar in law, language and manners, appeared to him highly absurd. To join, too, the conquerors and the conquered must give rise to much unpleasant feeling and many invidious distinctions." "He recommended that system of government which tended to promote the good of the individual and the public, in opposition to that which attempted to metho-
dise anarchy."

Mr. Burke who supported the Bill, he speaks of joining the conquerors and the conquered; this is not the case now, no such feeling exists, no such idea is entertained, no such invidious distinctions are heard of. Then why has the Hon. member for Toronto used these quotations? They do not strengthen his position, they give no reasons why the separation shall take place, and only refer to the period of 1791, soon, nay, a very early day after the conquest. He would pass over the extract given from the Report of the Government, to the Imperial Government; it would no doubt be alluded by the gentlemen themselves, but certainly the purposes sought to be gained by the Hon. member for Toronto, by using it, are not such as are likely to result from a close and attentive perusal of the document itself. The Hon. gentleman quotes Lord Melbourne in the course of the debate on the Union Act, and gives the House this opinion of his Lordship upon the subject. In his speech at the second reading of the Bill, Viscount Melbourne said,

"It is highly probable that before the lapse of ten years your Lordships will be called upon to adopt some new principle for the readjustment of the whole Constitution of the Colony IN ORDER TO GIVE EACH PROVINCE ITS FAIR SHARE OF THE REPRESENTATION."

Surely that Hon. gentleman has not forgotten that the re-adjustment here alluded to has taken place. That the Union Act was so amended, and by the consent of the Hon. member for Toronto, so as to give to each section of the Province an increased Representation, and why then should he so far stray from the position, as to make such a quotation, and that too under the pretence that it has yet to be acted upon. The Hon. gentleman then went on to quote the opinions of Sir Francis Head, Mr. Hagerman, Mr. Robinson, the Duke of Wellington, and many others, who had stood up for the views advocated in those days, by the non-unionists, in contradiction of the views taken by the party, now held by the Hon. member for Toronto. And it did appear strange to him, that this should be taken as an argument in support of the separation, when in fact, they were only arguments urged to assist the Union. The Hon. member for Toronto then falls back upon the action taken by Lord Durham, and the instructions he received when he came out to administer the affairs of Canada. He quotes first a resolution proposed in 1837, and it is in these words:

"That great inconvenience has been sustained by His Majesty's subjects inhabiting the Provinces of Lower Canada and Upper Canada from the want of some adequate means for regulating and adjusting questions respecting the trade and commerce of the said Provinces, and divers other questions wherein the said Provinces have a common interest; and it is expedient that the Legislatures of the said Provinces respectively be authorized to make provision for the joint regulation and adjustment of such of their common interests."

But he (Mr. Benjamin) must be permitted to remark that this resolution had nothing to do with the political difficulties of the country, it was produced in consequence of what was thought to be an unfair division of the Customs dues, and arose out of the difficulties of the navigation of the River and Gulf of St. Lawrence, but there was no point political in it, and could not be made to bear any such construction. But as soon as this resolution is rightly laid before the House, the Hon. gentleman turns to eradicate the expression used by him, in the system he would introduce in this wild change of the affairs of the Province. He quotes from the instructions given to the Lord High Commissioner in the following words:

"It is clear that some plan must be devised to meet the just demands of Upper Canada. It will be for your Lordship, in conjunction with the Committee, to consider if this should not be done by constituting some joint Legislative authority which should preside over all questions of common interest to the Provinces, and which might be appealed to in extraordinary cases to arbitrate between contending parties in either; preserving, however, to each Province its distinct Legislature, with authority in all matters of an exclusively domestic concern. If this should be your opinion, you will have further time to consider what should be the nature and limits of such authority, and all the particulars which ought to be comprehended in any scheme for its establishment."

The question then in dispute was, the Custom's duties, and for this some authority was necessary, in order to enable a legal settlement to be made; but that Joint Authority was always there. Each Province selected its own man to adjust their difficulties, but an arbitration was wanted, and this was taken to be the best method of proving a satisfactory settlement. But is this the case now? Certainly not. And even here, and for this simple and almost single purpose, it was to be a *Joint Legislative Authority*, and not such a mongrel as the Hon. member for Toronto contemplated by his resolution. Does any one suppose for one moment, that any statesman having a due regard to his own position and ability, would recommend to any people, of any country, such a course of conduct? Assuredly not. Such a system would be useless for all good purposes. Referring to the Report made by Lord Durham, the Hon. member for Toronto once more introduces the subject of Local bodies, and thereby would have the world believe it meant the Local Legislatures. It meant no such thing, but simply and purely the Municipal Institutions, which were afterwards granted to Canada. But to carry

out the recommendations of Lord Durham, the first Bill for the Union of the two Provinces, contained a great many clauses for establishing Municipal Institutions in Canada, but when it became known that this was the fact, it was at once shown that this would be an undue interference in the local affairs of Canada, and the Bill was withdrawn. But the Hon. member must certainly be ignorant, very ignorant of the facts if he seriously attempts to palm off on this House, the opinion, the belief, the condition, that the local bodies referred to, had any other meaning in the Bill which was withdrawn, than Municipal Institutions. And the assertion made by the Hon. gentleman, that the Act of Union entirely ignored the local legislation, is far from the fact; it confirmed it, and by leaving the objectionable clauses out, at once acknowledged the principle that Canada had the right to Local Legislation. The result showed that we could profit by the power thus conceded, and the present Municipal Institutions are the result of this Legislation. The great Address went on to show there were irreconcilable differences and difficulties between the two sections of the Province. This, he (Mr. Benjamin) denied in the most emphatic terms, and asserted the contrary. He proclaimed it, as the opinion of Upper Canada, and he believed this opinion was largely shared by Lower Canada, that there was a desire that all such difficulties should be removed, and that a good understanding should be cultivated. But whatever difficulties there might be, was there a member in that House, who would deny that they were to be attributed to the agitation of the Hon. member for Toronto, who though he had once admitted the good services of these Lower Canadians friends, found them now so unwilling to enter into his schemes that he wished to get rid of them altogether. He would blot them out of position—out of existence. This document—this famous manifesto, went on to say, that the two Sections were as wide apart in all important matters as they were twenty years ago; this he denied, for although he had not been long in Parliament, he had observed that the tendency of all Legislation had been to assimilate the laws and render the population homogenous, and although he had said this before, yet he could not forego the opportunity of again stating his opinions on this occasion, that the Hon. Mr. Cartier had done more to unite the two races and establish harmony between them than any other gentleman in the House. Under his régime some of the best principles of Municipal Law prevailing in Upper Canada, were being adopted in Lower Canada, and Upper Canada would in a like manner be benefited by taking largely from the Code of Lower Canada. He (Mr. Benjamin) had been accused of favoring Popish interests, because he had advocated the cultivation of both languages spoken in Canada, and he would ask, whether the two principal languages spoken in the world, were not worthy of being known and cultivated by all Canadians? So far from Central Canada entertaining these extreme views

and opinions, they repudiated them, and when they repudiated they would oppose, not like a section of the West, led on by the member for North Waterloo, held serious differences with their leader, even upon the subject then under consideration, but will they dare to vote against his will? Certainly not. No, with all their feelings bound to the extreme point of antagonism, he questioned very much whether they would vote against the resolutions in the hands of Mr. Speaker. If they attempted to fly the track, they would feel the stripes of the scorpion whip handled by the Hon. member for Toronto, who held and lashed it so dexterously over their heads. The Western part of Upper Canada had long sought to govern and crush the Central portion.

Mr. WHITE denied this.

Mr. BENJAMIN—Oh, my dear sir! I beg your pardon, Mr. Speaker, but the White-Brown has no opinion upon this or any other subject. (Great laughter.) The greater part of the money borrowed in the days of Lord Sydenham to pay the Upper Canada Debt, and reduce the interest from six, seven and eight to four per cent. had been expended in Western Canada, and not applied to the purposes for which it was borrowed, and the great Reformers, as they called themselves, had joined with one who called himself a Tory, like Sir Allan McNab, in getting the money, because indeed they had the power, they had the votes in superior numbers to control the purse-strings of the Province for their local advantage. No blacker transaction was ever known in Canada. Then the address, and the member for Toronto both alluded to the conquerors and the conquered. This was a most wretched allusion to an expression long ago uttered and forgotten, and it was only used or called forth from oblivion, to create the very feeling which it pointed at. For one he repudiated such sentiment, and despised such tactics, and no man with proper feelings would have reproduced such words on the floor of this House.

Hon. Mr. FOLEY—What did the British League say?

Mr. BENJAMIN—Had been a member of that League, and had always opposed such opinions. Much as he disapproved of the course of the Governor in those days, he would say now, as he always had said, that if both Houses of Parliament had sanctioned the measure, it was his Constitutional right to approve or disapprove the Rebellion Losses Bill as he saw fit, but while he conceded this, he insisted that the manner in which the thing was done, could never have his approbation, nor had he any right to slander and abuse the opponents of the measure, as he had in his despatches; when he must have known they could not be heard in their own defence; it was a cowardly attack upon a portion of the community. Hon. gentlemen called order, he was in order; as a member of that House he had a right to remark and animadvert upon any matter of history. But to proceed, and he desired to call the attention of the House to the fact, that the Hon. member for Toronto, had in

his speech, charged all the evils, corruptions and wrongs, under which the Opposition pretended to suffer, to the system of Government. That it was so bad, men could not remain honest after they had taken office; probably taking his cue of this fact from the short period he had held office; but what he [Mr. B.] desired to notice was, that if the system was to blame, why continue the daily charges of corruption, and all other sins upon the individual members of the Government. Surely it was not honest. In his own conduct he had shown there was something wrong in his system at all events, for no sooner had he joined the Lower Canadians than he abandoned his cry of Representation by Population,---his Separate School opinions, had been cast to the winds, and now indeed, finding himself no longer embarrassed by them, yet being watched, he has for the last two years, acting, from the necessity of the times,---the hardship and scarcity in the money market,---the want which has overtaken many,---he appeals to the people of Upper Canada to join him in his cry for Separation from Lower Canada, on account of the excess of money said by him to have been expended in Lower Canada out of Upper Canada funds. If, as he says, the present state of affairs were alarming, then the member for Toronto was the alarmist,---he was the cause of the existence of any feeling of antagonism, and if any bad consequences resulted, he was to blame. The Hon. gentleman had taken it upon himself to defend the position and praise the conduct of the late Hon. Robert Baldwin, but he had omitted to tell the House that he had driven Mr. Baldwin from Public life; and when Mr. Baldwin's friends sought to avail themselves of the services and ability of the late Mr. Baldwin in the Upper House, who---who but the Hon. member for Toronto had again driven him into retirement; and yet this gentleman could now stand up on the floor of that House and laud the character of the man he had stricken down. When that Hon. gentleman speaks of trickery and intrigue, he should not forget that no man on the floor of that House, was more open to the charges of intrigue than he was. As to the repeated and continued charges about the majorities and minorities of Upper Canada members, the Hon. member for Toronto knew full well that faction and factious opposition kept his followers banded together---kept them from voting according to their convictions, and that his restraint was constantly brought into action to produce the apparent unity. This was the reason why the gentlemen were so unbroken in their ranks, the common desire to obtain patronage and office served as a cement to bind them together; certainly neither for the interests of the country, nor the harmony of the House. It came with particular bad grace from the Hon. member of Toronto to speak of Party men---he knew his followers were Partizans, and when he claimed the position of a Patriot, it was without having any of the attributes of that character. He and his followers were Partizans, in every sense of the word. Although not

agreeing upon any subject, they were always found voting together, and that too against their more sober convictions, and certainly no party could go farther---no party could more correctly be charged with deceiving the country, and bringing it to the verge of ruin, than the party acting with the Hon. member for Toronto. He would not detain the House much longer, he had occupied their attention longer than he had intended when he arose to reply to the Hon. member for Toronto, and indeed there was much more to say in answer to the specious arguments made by that Honorable gentleman; but he (Mr. B.) knew others who entertained opinions adverse to those enunciated by the member for Toronto would speak in the course of the debate, and he felt the position of their side of the House would be well sustained. But the dissolution of the Union could bring no good results; it could not place us in a superior position to that in which we were now placed in. Did the Hon. member expect, by dissolving and breaking us up, to place us in a position in which we might compare favourably with those countries contiguous to us? Surely the Hon. gentleman, and those who supported him in his views, would not presume to say that Upper Canada separated from Lower Canada---as an isolated Province---could possibly have that political and social influence on the Continent of America which its position united to Lower Canada had always given it. It was absurd to suppose it. Did he ask what the Union had obtained for us? He (Mr. Benjamin) said it had done everything, more than had been anticipated,---and he would allude to the opinion of our neighbours, who with all their prejudices might be taken to express an honest opinion in the matter. He then read an extract from the *New York Times* showing the stride made by Canada since the Union to engross the trade of the Continent, and pointed out the fact that by our Rail Roads and Canals we would ultimately succeed in obtaining that after which we had so manfully striven. He then asked if the House was prepared to erase this picture, which they certainly would do if they voted for the resolutions under the consideration of the House just then. In his opinion, the resolutions upon which they were called upon to vote were put forward solely for the purpose of subserving party and sectional interests, in opposition to national interests, and in order to procure a distinct vote of approval or disapproval, apart from all crotchets and side votes to let people down, he would move the *previous question* and vote for it too. He wished to have a distinct declaration from members on the Opposition as well as on the Ministerial side, and this was the only way to obtain it. In conclusion, he desired so express his regret that the Hon. member for Toronto should have thought it was his duty, in his capacity as Leader of the Opposition, to propound resolutions to the House and the country which involved not only the advantages which the country derived from its present position, but the advantages it had a right to expect to derive from its present politi-

cal and social relations with the greatest Empire in the world.

Col. PLAYFAIR seconded the amendment.

Major CAMPBELL said, he only rose to repel the gross and unfounded attack which had been made upon an absent nobleman by the Hon. member for North Hastings. That Hon. gentleman stated that the nobleman referred to, in giving his assent to the Rebellion Losses Bill, had pursued an unusual course. This he (Major Campbell) emphatically denied. The Hon. member for North Hastings afterwards used words in speaking of that nobleman, which he should have been ashamed to use. He (Major Campbell) claimed to know that nobleman as well as, if not perhaps better than the Hon. gentleman, and he begged to declare before the House and country that "coward" was the last word that should ever have been used towards him. (Hear, hear.)

Hon. Mr. FOLEY approved of the manly remarks of the Hon. member for Rouville, and he must add that it was unbecoming the Premier of Canada, and the Hon. gentlemen from Lower Canada to sit quietly, and hear such language used towards Lord Elgin, by a member of that House. That Nobleman would ever live in the affections of the people of Canada as the one who was willing to grant and did effect for the people of this country the blessings of the British Constitution.

Mr. BENJAMIN expressed his surprise that the Hon. member for North Waterloo should appeal to the members from Lower Canada to sustain him. Why, if ever there was an instance in which there was an exercise of unpardonable influence by the Executive, it was when it was used to console the inhabitants of one section of the Province. (Hear, hear.) He (Mr. Benjamin) was not to be daunted by either the Hon. member for North Waterloo or the Hon. member for Rouville. He well remembered that the Hon. member for Rouville was the Secretary of the Nobleman who had been referred to. He well remembered that the Hon. member for North Waterloo was a supporter of the party who sustained every movement and every act of that Governor of this Province, who by fair and by foul means sought to obtain a representation from the people of Upper and Lower Canada contrary to the opinions entertained and felt by the people themselves.

Mr. McMICKEN said he entirely repudiated the sentiments of the member for North Hastings. There never was a Governor General who was more entitled to the heartfelt thanks of the people of Canada than Lord Elgin, and it had pained him much to hear such language applied to him.

Hon. J. S. MACDONALD endorsed the high opinion that had been expressed of Lord Elgin. He had succeeded in establishing the independence of these Colonies, as regarded the entire control of our own affairs.

Hon. Attorney General CARTIER said he had been called on to explain why he had remained silent, while an allusion such as had been

described had been made to the conduct of the noble Lord who in 1849 was Governor of Canada. Well, he understood the remarks of the Hon. member for North Hastings simply in the character of a political opponent of the noble Lord at that time. He understood him simply to say that he disapproved of the conduct of Lord Elgin—in short, that he conceived he had acted unconstitutionally.

Mr. BENJAMIN—That was what I said.

Hon. Attorney General CARTIER said, all he could say was, that if such expressions were used as stated, he much regretted it, but he had certainly not heard them. As far as he [Mr. Cartier] was concerned he was one of the warmest supporters of Lord Elgin. He supported the LaFontaine and Baldwin Government against what was called the Lower Canada Opposition. The very gentlemen who were now sitting on the Opposition Benches as the colleagues of the Hon. member for North Waterloo were the abusers of Lord Elgin. Who were those who struggled most against Lord Elgin's Administration? Was it not Sir Allan MacNab, and what was called the Conservative party, headed by Mr. Papeineau?

Hon. Mr. BROWN—And the Hon. Atty. Gen. WEST, and the Hon. member for Renfrew.

Hon. Mr. CARTIER said Lord Elgin proved to the country that he wished by-gones to be by-gones. The Hon. member for Toronto acted in concert with Sir Allan MacNab, and it ill became him to taunt him [Mr. Cartier] as he had done. When the Hon. member for Toronto saw that Lord Elgin called upon Sir Allan MacNab to form his Government he became rancorous in his opposition to Lord Elgin, and to the Conservative party. But the conduct of Lord Elgin, in taking into his Government those who had opposed him, was strictly Constitutional, and he carried on Responsible Government.

Hon. Mr. DORION said the Hon. Atty. Gen. EAST, instead of repudiating the attacks of the Hon. member for North Hastings, tried to throw upon the shoulders of other parties the insinuations against Lord Elgin. If he had rebuked the accusations he would have rebuked his own colleagues. He [Mr. Dorion] denied that a certain party from Lower Canada attacked Lord Elgin for his conduct in regard to the Rebellion Losses Bill. Not only did his [Mr. Dorion's] party acknowledge the conduct of Lord Elgin to be Constitutional, but they offered to the authorities every possible support upon that occasion. (Hear, hear.) It was true they were for some time in opposition to Lord Elgin's Government, but not to Lord Elgin himself, nor did Mr. Papeineau ever attack him. The only time they ever opposed him was when he invited the minority of the House to form his Government.

Hon. Mr. BROWN said the Hon. Atty. Gen. East was entirely mistaken when he stated that he [Mr. Brown] attacked Lord Elgin, though he had considered it a most inexpedient act to call in a minority to office. He went to see Lord Elgin before he left the country, and told him plainly that he thought he had done wrong, but

he had always maintained and maintained now that Lord Elgin was the best Governor we ever saw in this Province. [Hear, hear.] He introduced Responsible Government, which we had not had before, except while Sir C. Bagot was in the country, and the country owed a deep debt of gratitude to Lord Elgin, though he made a great error in endeavoring to carrying out his own personal objects, but he had temptations that few men could have resisted. [Hear, hear.] To say the least, it was exceedingly indecorous in the Hon. Atty. Gen. East to sit still and hear such an attack made upon a late Governor, to whom we owed a thousand times more than to the Governor who now ruled the Province (cries of oh! oh!) Who ever heard a person rise to say we owed the slightest mode of gratitude to the present Governor, who had never placed a single act upon record that would entitle him to the gratitude of the people? It was the duty of the leader of the majority in that House to protect the memory of Lord Elgin when assailed as it had been in his hearing, but he shrank from the duty, or what was the same thing, rebuked it in the mildest possible manner.

Mr. McGEE said, the words used by the Hon. member for North Hastings in his attack on Lord Elgin were "poltroon, slanderer, and coward." (Hear, hear.) Yet such abuse did not seem in the least offensive to the Hon. Atty. General East; but when he (Mr. McGee) had merely spoken of the unpopularity of the present Head of the Government, without making the least reflection on his morality or personal character, the same Hon. gentleman had taken offence that he could not forget throughout the whole Session. He could only account for such inconsistency by remembering that the Hon. gentleman who has so basely slandered an ex-Governor was a supporter of the Government, and that the Hon. Atty. General East acted on the principle that a living ass was better than a dead lion. (Laughter.) Then the Hon. gentleman had said it was upon that (Opposition) side of the House that Lord Elgin found his bitterest foes. But in the Montreal *Herald* of that day he found a report of the great Convention held in Kingston, and it was stated that the Convention agreed to adopt all the rules prevailing in Parliament except the fifteenth—which forbid the use of language disrespectful to the Governor General (hear, hear); and the words of the present Hon. Atty. General West upon that occasion were reported thus: "he would spare neither time nor money till he brought Lord Elgin to the bar of the House to answer for his words, and in God's name let it be done at once." (Hear, hear.)

Hon. Mr. GALT—That was constitutional.

Mr. McGEE said it was constitutional, if Lord Elgin had acted unconstitutionally; but if he had not, then such language was buncombe of the lowest kind.

Hon. Mr. GALT could not help saying that the language used upon that occasion did not express his views. He would not now enter upon a discussion of Lord Elgin's course; but he could not see why because one Hon. gentleman had attacked Lord Elgin, another Hon. member should choose to attack the gentleman who now filled the highest position in the country. He did not see why there should be a comparison made between him and the gentleman who preceded him, and who while he occupied the post did certainly excite the most bitter hostility towards himself. But there were some attacks made in such strong and indecorous language that it would be unbecoming in any member to reply to them. But no one who watched the countenances of Hon. members, even on the opposite side, during the attack, could fail to perceive that in their opinion much of the speech had better have remained unspoken. If any Hon. member could so far forget himself as to make such statements, the House might very well allow them to pass unnoticed and go uncontradicted to the public. (Hear, hear.) But it was much to be regretted that a discussion like the present had taken place at all, as it merely aroused bitter feelings and was unprofitable to the House.

BILLS PASSED THROUGH COMMITTEE.

BILL to Incorporate the the Ottawa Board of Lumberers (and amendments).—Mr. W. F. Powell.

BILL to alter and amend the Act passed on the Twentieth year of Her Majesty's Reign, intituled "An Act for the construction of Water Works in the City of Hamilton, (and amendments).—Mr. Buchanan.

BILL to enable Alexander Donald Austin, Aeneas Macdonell and others, to sell and convey certain lands to Thomas Galt, notwithstanding disability (and amendments).—Hon. J. S. Macdonald.

BILL to Incorporate the General Hospital of the District of Richlieu, (and amendments).—Mr. Sincennes.

BILL to confer certain powers upon the Local Municipality of Grantham, Wendover and Simpson, in the County of Drummond, in respect of a Bridge at Drummondville, over the River St. Francis, (and amendments).—Mr. Dunkin.

BILL to revive and extend the charter of the St. Lawrence Inland Marine Assurance Company, (and amendments).—Mr. Patrick.

BILL to amend the Act 10 and 11 Victoria, cap. 68, intituled "An Act to Incorporate the Montreal Mining Company (and amendments).—Mr. Abbott.

BILL to amend the Acts relative to the Montreal and Champlain Railroad Company (and amendments).—Mr. Dunkin.

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, May 2, 1860.

BILLS PASSED THROUGH COMMITTEE.

(Continued from our last No.)

BILL intituled "An Act to provide for the election of Officers, and Directors of the County of Missisquoi Agricultural Society, for the year one thousand eight hundred and sixty, (from Legislative Council, and amendments.)—Mr. *Whitney*.

BILL to amend and extend the Act to incorporate the Carillon and Grenville Railway Company (and amendments.)—Mr. *Abbott*.

BILL to incorporate the Canada Central Railway Company (and amendments.)—Mr. *W. F. Powell*.

BILLS READ A SECOND TIME.

BILL to amend the Act to change the tenure of the Indian Lands in the Township of Durham.—Mr. *Dunkin*.

BILL to annex to the County of Levis, for Registration purposes, that part of the Parish of St. Joseph de la Pointe Levis, heretofore included for Electoral purposes in the County of Bellechasse.—Hon. Mr. *Lemieux*.

BILL to incorporate the Mount Hope Institute, a Seminary of Learning at London.—Mr. *R. W. Scott*.

BILL to incorporate the Congregational Ministers' Widows and Orphans Fund Society.—Hon. Mr. *Dorion*.

BILL to authorize Joseph Ovide Rousseau to construct a Toll Bridge over the River Nicolet, opposite the Church of the Parish of Nicolet, in the County of Nicolet.—Mr. *Desaulniers*.

BILL to remove doubts as to the validity of By-law No. 309 of the Corporation of City of Toronto, and of certain Debentures issued thereunder.—Mr. *Wilson*.

BILL intituled "An Act further to amend the Act incorporating the Metropolitan Gas and Water Company in the City of Toronto," (from Legislative Council.)—Mr. *John Cameron*.

BILL to establish and continue a survey of the Township of King.

BILL to extend the Act respecting the investigation of accidents by fire to the country parts.—Hon. Mr. *Morin*.

BILL to incorporate the Village of Terrebonne as a Town.—Hon. Mr. *Morin*.

BILL respecting Customs' Duties.—Hon. Mr. *Galt*.

The House adjourned at half past one o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Thursday, May 3, 1860.

THIRD READINGS.

The following Bills from the Legislative Assembly, were read a time:

BILL—Municipal Institution amendment, U. C.—Hon. Mr. *Vankoughnet*.

BILL—Montreal Terminus Grand Trunk Railroad.

SECOND READINGS.

The following Bills from the Legislative Assembly, were read a second time:

BILL—Provincial Land Surveyor's Association.—Hon. Mr. *Vankoughnet*.

BILL—Niagara and Detroit Rivers Railway.—Hon. Col. *Prince*.

BILL—Montreal Bank Annuity and Guarantee.—Hon. Mr. *Crawford*.

FREE PORTS.

Hon. Mr. VANKOUGHET moved the second reading of the Bill to provide for the establishment of Free Ports at the Gulf of the St. Lawrence, and at the Sault St. Marie. The Hon. gentleman considered that the Bill would have the effect of developing the Mineral resources of the Province in the West, to which the attention of the Capitalists of England had been of late much directed; and the Fisheries in the East. The present loss to the Province in revenue would be a mere bagatelle, and would be amply compensated for by the increase in the importance of those places.

Hon. Mr. TESSIER highly commended the scheme. At the present moment Canada did not reap the advantage that she ought from her own Fisheries. Boston reaped more advantage than Canada did from those fisheries, which were shared in not only by Canadians, but by Spaniards, Portuguese, French and other nations. The effect of the Bill would be to divert the large trade which properly resulted from the Fisheries from American to Canadian Territory.

Hon. Mr. DEBLAQUIERE enquired of the Commissioner of Crown Lands what emigration he thought should flow from Norway to Canada this year?

Hon. Mr. VANKOUGHNET said that he had charged himself with the task of laying before the people of Norway, as far as possible, the advantages which Canada presented to them for emigration. He had taken advantage lately of the departure of a gentleman for that country, to send some maps of this country, and also much printed information concerning it—setting forth its advantages in Fishing, Agriculture, and the Lumber trade. As to the number of emigrants that might be expected out, he had no information; but he thought there could not be less than 20,000. A great number of those emigrants had gone to the North Western States, and although it was a delicate matter to meddle with people settled in any country, yet he had authorized the departure of a gentleman for the location of those emigrants, so that if those people were dissatisfied with the country where they first settled, Canada might have the advantage of their presence as any other part of the States. At all events he looked for a large emigration to Canada this year.

Hon. Mr. DEBLAQUIERE congratulated the Government on the good they had achieved for the country within the past year; and said, that it was satisfactory to know that, while the Lower House was occupied with empty and futile discussions, the Government was engaged in opening up the resources of the country.

The House then went into Committee of the Whole on the Bill—Hon. Mr. Fergusson in the Chair—and reported it without amendment.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, May 3, 1860.

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

BILLS READ A THIRD TIME AND PASSED.

BILL to incorporate the Ottawa Board of Lumber Manufacturers.

BILL to incorporate the Windsor Improvement Company.

BILL to alter and amend the Act passed in the 20th year of Her Majesty's reign, intituled "An Act for the construction of Water Works in the City of Hamilton."

BILL to enable Alexander Donald Austin, Aeneas Macdonell and others, to sell and convey

certain lands to Thomas Galt, notwithstanding disability.

BILL to incorporate the General Hospital of the District of Richelieu.

BILL to confer certain powers upon the Local Municipality of Grantham, Wendover and Simpson, in the County of Drummond, in respect of a Bridge at Drummondville, over the River St. Francis.

BILL to revive the Charter of the St. Lawrence Inland Marine Assurance Company.

BILL to provide for the Election of Officers and Directors of the County of Missisquoi Agricultural Society for the year 1860.

BILL to amend the Act 10 and 11 Vic. cap. 68, intituled, "An Act to incorporate the Montreal Mining Company."

BILL to amend the Acts relative to the Montreal and Champlain Railroad Company.

BILL to amend and extend an Act to incorporate the Carillon and Grenville Railway Company.

BILL to incorporate the Canada Central Railway Company.

CONSTITUTIONAL RELATIONS.

The order being read for the further consideration of Hon. Mr. Brown's resolutions on the subject of the constitutional relations of Upper and Lower Canada,

Mr. MCGEE said he wished to lay before the House his views on this subject; but considered it needless to follow throughout the observations of the Hon. member for North Hastings, whose speech reminded him of Falstaff, with his pitiful pennyworth of bread to an enormous quantity of sack. (Laughter.) Indeed, were all the superfluous adjectives weeded out of that speech the whole argument would be contained in a nut-shell. (Hear, hear.) He proposed briefly to consider the merits of our present Constitution, and its claims upon our regard. Since the foundation of the Province there had been five different constitutional systems, and each had had its able defenders and apologists; and we ought to consider the present Constitution with the same impartiality and freedom with which in 1840 the preceding Constitutions were discussed. We were asked to defend our existing constitutional system; but it had been so materially changed in the most important points that out of Lord Sydenham's two months' work little was left to defend, for thirty clauses, out of sixty-two had been abolished since 1840. The Union had not answered the purposes for which it was intended, and therefore had clause after clause been repealed, till the Act of Union could hardly be said to have an existence. The question was one of remedy, and in his opinion the true remedy was the application of the federal principle. (Hear, hear.) But he would not apply it without the sanction of a majority of both sections of the Province. Still more desirable would be a federal union of the whole North American Provinces. A dissolution of the Union "pure and simple" was out of the question, and impracticable; but the Imperial Government

was not adverse to allowing the Provinces to consider the question of a general federation, which he would advocate, if only on a commercial ground. We had advanced a certain way on the road to nationality, and all the power of the Legislature could not stop it, though it might retard it. He looked forward to the day when we should be known not as Upper or Lower Canadians, Nova Scotians, or New Brunswickians, but as members of a nation designated as the Six United Provinces. He did not think it would be our interest to separate from the Metropolitan Power so long as we had the power of self-government. He blamed the Government that they had taken no decided steps with the view to the extension of our political horizon. He had a motion on the paper for a copy of correspondence which he understood had taken place in relation to an Intercolonial Tariff. A copy of the correspondence had, he understood, been laid on the table of the Nova Scotian Legislature and he was much surprised that no allusion had been made to it by the Minister of Finance in his various financial speeches. The obstacles to a federation of all the British Provinces were not greater—indeed, he believed he could show they were not so great as the practical federation of Upper and Lower Canada alone would be. If we remained strangers to the sister Colonies—if each continued to tax the others' products—if they continued to have differing customs and differing tariffs, without contributing to the mutual benefit of the one to the other—he should not be surprised if in some crisis, under some great depression, these Colonies or a portion of these Colonies would look towards Maine.

Hon. Mr. MERRITT called the attention of the House to the manner in which our debt had grown, and contrasted it with the debt of the State of New York, drawing the conclusion from the facts that our large debt, and the absence of all control over its further increase was attributable to the want of a written Constitution, such as existed in the State of New York, which placed a limit on the Public Debt, and provided for the certain liquidation of the existing one, which had been created before the present Constitution was adopted, within a given period. He argued that the course for us to pursue was to refer to a Convention of the tax-payers; the task of drawing up a Constitution suited to our peculiar wants, but founded on that of the State of New York. He did not hope for retrenchment in the management of the Country, until we had a written Constitution. Lord John Russell had regretted that the Constitution had not emanated from the people of Canada themselves, inasmuch as we should have been better satisfied with it, even were it not so good as that proposed by the Imperial Government. Great Britain could have no objection to the framing of such a Constitution by the people of Canada, and there would be no more auspicious time for carrying out the plan than the present. He agreed with the Hon. member who had just spoken that we ought to have a Union with all the Pro-

vinces; but when we attempted that in 1805, it was objected to by Lord John Russell. Such a Union would be especially beneficial in a Commercial point of view, as had the Union of the thirty-six German States. Many were afraid these plans would lead to annexation, but he believed the very opposite would be the effect. He had never been in favor of annexation, and never should be. We ought to encourage manufactures, secure the carrying trade of the West, and in every way develop the resources of the country, for Canada had the elements of wealth within her, and it depended only on our industry and intelligence to bring it out. (Hear, hear.)

Hon. J. S. MACDONALD said in rising to address the House on the question before it, he had to acknowledge the kindness extended to him in the postponement for his convenience of a discussion in which he felt so warm an interest. It would have been a matter of great regret to him if, on the discussion on a proposition affirming the expediency of a change of the system of Government under which he had lived for twenty years, and with the establishment of which he had something to do, he had not been able to be present. His Hon. friend from Toronto had spoken at great length and with his usual ability in support of the proposition which he had submitted, and he had been followed, in the way of reply, by a gentleman on the other side of the House, (Mr. Benjamin) who had also spoken at great length. The Hon. gentleman who had last spoken (Mr. Merritt) held a peculiar position, having no confidence in any system of Government which was not founded on the principles he himself advocated—namely, a Constitution emanating from a Convention of the people themselves. In addressing the House, therefore, he was placed somewhat in the position of a defendant, for he had to explain how it was that he differed from some of these with whom he had acted during the whole course of his political life, and how it came to pass that he was opposed to a scheme which had received the sanction of a majority, perhaps, of those on the Opposition Benches, and which had guaranteed from a body of 600 Reformers, who had met in Convention at Toronto. In the remarks which he had to make, he might expose himself to the imputation which had been already sedulously promulgated through the length and breadth of Upper Canada, that he was at heart a Lower Canadian, and that his sympathies and feelings were with the Lower Canadians. But all he could say was that such an imputation would be most unjust and unfounded, for the whole of his antecedents during the whole course of his political life gave it the lie, and he defied any one to point to a single vote or speech in which he had conceded to Lower Canada that to which she was not justly entitled. He had stood consistently by his Hon. friend the member for Toronto. (Hon. Mr. Brown.) Neither that Hon. gentleman nor those who had more confidence in his views than he (Mr. Macdonald) could point to a single popular question affecting Upper Canada, excepting that of Representation

by Population, in which he had not taken a common part with them. On the question of Separate Schools, as affecting Upper Canada, his views had been in entire unison with theirs, until they became a *fait accompli*, when his opinion was that they had, perhaps, better leave them as they were. As regarded Ecclesiastical corporations, his Hon. friend from Toronto could not say he had differed from him. The opinions he had expressed on this subject he entertained and had expressed long before his Hon. friend the member for Toronto (Hon. Mr. Brown) had a seat on the floor of the House. Then, in reference to the other questions of a religious character, which had agitated Upper Canada, he had not obtained his inspiration from the Hon. member for Toronto; his convictions had been conscientiously formed from his own experience and knowledge, and had on all occasions been conscientiously expressed. He was not one of those who had obtained the suffrages of the public by professing views different from those which he honestly entertained and then betrayed the confidence reposed in him. ("Hear, hear," from Mr. Brown.) He had never changed his views. It might be said that this did not redound to his credit and was characteristic of the obstinate race from which he sprung. Nevertheless it was a fact, and he was not ashamed to avow it. He had gone heart and hand with the whole body of reformers since he first entered public life, and if he now differed from a large body of them with regard to the Constitution—a Constitution in which he still had confidence—it was not because he was a Lower Canadian in feeling. No one had stood up on questions affecting Upper Canada with more zeal—it might not be with ability—than he had done; and no one felt a more ardent attachment for the institutions and rights of Upper Canada than himself. If he had been often found attacking the Ministry and betraying feelings of disappointment and anger, it was because he found them assuming a position at variance with the understood wishes of the people of Upper Canada. If he had often spoken warmly in debate, it had been caused by the outrageous legislation of a majority from Lower Canada, supported by a minority from Upper Canada—legislation which was opposed to the feelings of the people of Upper Canada as expressed through the majority of its members on the floor of the House. He would not go back to the history of the remote period to which reference had been made by the Hon. gentlemen who had preceded him. It was enough for him to glance at the difficulties which had occurred during his own political life and which at present existed. The Reformers of Upper Canada struggled because they had not obtained what had been promised them—a transcript of the British Constitution;—and the rebellion of 1837 was the consequence. What did the Reformers of those days ask? Had they any sectional views at that time? No; they desired Constitutional Government; they desired that the Government should be carried on in accordance with the well understood

wishes of the people. After the rebellion, Lord Durham was sent out to enquire into our grievances, and he presented so statesmanlike a report of the position in which he found the country, of the difficulties existing, of the causes of distrust, and of the causes which led to the rebellion that the eyes of the statesmen of England were at once opened to the reasonableness of our demands, and Responsible Government was granted. Much had been said of the remarks made by British Statesmen in reference to the subject. But what was easier than to foreshadow difficulties that might occur? The Hon. member for Montreal (Mr. McGee) had dwelt on the fact that a large number of the clauses of the Act of Union had been repealed. Well, what of that? It only showed the adaptability of our present constitution to our circumstances, and that it was in our power to popularise it. It had been framed on the supposition that it was the one best calculated for our purpose, and the best intellects in England and in this country had been employed on it. What was the condition of Upper Canada before we received it? The extravagance displayed in the Public works, and the general mal-administration of affairs had caused dissatisfaction and brought the country to a state of distraction and hopeless insolvency. The union of the two Provinces he regarded as a wise and statesmanlike act (hear, hear); it was intended to bring the two people together and form the nucleus of a nation. From the period of the Union, our prosperity as a people might be dated. How had Responsible Government worked? The Elections were held, and were carried by Lord Sydenham. He boasted that he had carried the Union in two months. The officials of that day were the persecutors of the true Reformers, but they were brought to their marrow bones on receiving an intimation that if they had made up their minds to oppose the Government, they must give up their office. Few of them were found to make such a sacrifice: those who had croaked of their loyalty and had declared the Reformers to be rebels, were found ready to vote for those Reformers rather than give up their offices. Amongst those who retired were the then Attorney General Hagerman and Mr. Berry, of Hamilton. Well, the Parliament met at Kingston, and Mr. Baldwin, much to the regret of a large body of his supporters, joined Lord Sydenham. But he soon discovered that the system under which the Government was carried on, was still not British. He accordingly set himself to work to bring in Unison with the British Constitution, a task which he at last accomplished; and from that day to the present, they had had Responsible Government in reality, although it had at times been most outrageously violated. Lord Metcalfe threw obstacles in the way of Responsible Government. The Union was a grand scheme. The Union was designed to give satisfaction, but the mal-administration of affairs under that Government—the want of principle exhibited by those who were members of it, (men who never knew

what it was to be out of office) and by the House of Assembly,—the members of which were the mere tools of the Governor—excited general detestation, and when the people had an opportunity of giving expression to that detestation in 1847, the flight of Lord Metcalfe's minions and tools could only be compared to the flight of the Israelites from Egypt, driven as they all were from public life at one fell swoop. The era of our success now commenced. The Baldwin-Lafontaine Administration was formed. It lasted four years, the only instance on record in which an administration had lasted the whole term for which a Parliament was called, and during the whole of that period he defied any one to point to a single case of chiselling or one act of corruption which marked the administration of that day.

Hon. Attorney-General CARTIER—Name a single act of corruption of the present Government.

Hon. J. S. MACDONALD said he would come to that just now. Now if the system of Government which had been given to us was so bad, he would like to know how it happened that at the time of the Baldwin-Lafontaine Administration it had worked so well? Did they hear Lower Canada ask for a repeal of the Union? No. Under it prosperity, contentment and happiness reigned, except in the breasts of a few who were disappointed in obtaining office.—When the Baldwin-Lafontaine Administration came into power they found the treasury empty, and they had to issue debentures to meet the necessities of the Province. The Parliament House in Montreal was burnt down, and after this Mr. Hincks went home to endeavor to provide means to carry out the Railway schemes he had formed, and which eventually brought the country into great difficulties. But he failed to persuade the British Government to become guarantees for the money which he expected to get at three per cent., and he then formed the Grand Trunk Railway project, of which, he (Hon. J. S. Macdonald) would only say that it had brought the country under great embarrassments, and that we had the road in return. In 1851, the Baldwin Administration, notwithstanding its Reform character, found in the present member for Lambton, (Hon. Malcom Cameron) an opponent, and he became the author of the Clear Grit movement. He alleged that the country could not sustain the expense which was being incurred, and he found an able helper in the present member for North Oxford, (Mr. McDougall) who then edited the *North American*. Then was the time for getting up platforms; the Court of Chancery was to be abolished, and the country was to have institutions altogether elective. Hon. Mr. Rolph joined them and retrenchment became the order of the day. The people were told they could elect all their officers and cut down the salaries very low. Convinced by these arguments, a good many joined them in opposing the Administration, and the Ministers were told that £1000 a year was too much. By such means they expected

to revolutionize the country and get office for themselves—and they succeeded to some extent. The Conservatives then took up the cry of retrenchment and actually outbid the Clear Grits in that line. In 1850 the present member for Renfrew (the Hon. Mr. Cayley) brought in a series of resolutions for that purpose, and actually proposed to reduce the Governor's salary to £2,500.

Hon. Mr. CAYLEY said, he neither made such a motion nor proposed such a vote.

Hon. J. S. McDONALD was under the impression that he had and that the Journals would show it. Well, in 1854, the Coalition was formed, and the gentlemen who had been so clamorous for retrenchment, although they reduced the salaries of the then Heads of Departments to £750 or £800, raised their own when they themselves became Ministers the next year, to £1,250; at which figure they had since continued, excepting when they had reason to fear a change, just prior to the formation of the Brown-Dorion Government, when resolutions to reduce them to £1000 were introduced, so that those who followed them should have less than they had been paid themselves. But the new Administration breaking down, nothing more was heard on the subject. The Clear Grits continued to agitate the country, and they tried to persuade the people that losses and sufferings arising from wild speculations and other causes were due to the Government. But he had never concurred in these cries. He wanted all the Reformers to meet on one common platform, which he thought might easily be constructed, and he had not yet changed his opinion. The people were dissatisfied with the existing state of things, and by a good understanding the Reformers could have attained to power, but difficulties were thrown in the way by the Clear Grits, who insisted upon driving things to extremes, and to their course might be attributed the continuance in office of the present corrupt Administration. In 1851 there was no cry against Responsible Government except by Tories. But the Hon. member for Toronto conceived that the Administration was not carrying out the principle, and he quarrelled with the party. Still he had no affinity with the Clear Grits, and Hon. members would call to mind the strife between the *Globe* and the *North American*, during which so many hard things were said on both sides. Yet neither side propounded a policy upon which they could agree. True, an Opposition was not absolutely bound to have a policy as a Government must, but this it was which prevented their success. They opposed an Administration that had placed valuable and important laws on the Statute Books, such as those relating to the Post Offices, to Juries, Township Municipal Councils, Equalization of Assessments, Election Laws, Division Courts, and to other subjects—but they substituted nothing. In 1851 Mr. Hincks assumed the leadership, and he was successful, though with a small majority in Upper Canada, the numbers being 22 to 20; and he

(Hon. J. S. McDonald) was put in the Speaker's Chair to get him out of the way, not because of any fondness for him—but that it was all important to maintain the double majority. In 1853 Mr. Hincks, as he had already said, went to England about his Railway schemes, and in 1854 he was defeated, and the Coalition was formed, and then commenced the violations of Responsible Government and the troubles which had continued until now. Lord Elgin, instead of calling upon the Reformers to form a Ministry as he should have done, seeing that they were in a majority, sent for Sir Allan McNab, and he and his friends agreed to take up and to pass the measures of the defeated Ministry, which measures they had all their lives opposed. Since then the country had been cursed by that coalition, and the evils it had caused had led to the proposition now before the House. The member for Toronto had started the cry of "Representation by Population," which had for a long time excited such strong feelings in Upper Canada. He had seen by the Census of 1852 that the population of Upper Canada preponderated a little over that of Lower Canada, and the presumed steady increase which had continued had justified to some extent the allegations now made of a vast excess in that section. But he (Hon. J. S. McDonald) had told the Hon. member at that time that it was an unwise movement,—that it was calculated to alarm the Lower Canadians who had so ably assisted the Reformers of the West in carrying out their great reforms. He had told him that the cry would be regarded as an attempt to put down and swamp the French by force. But his counsels to abstain did not prevail, and the cry was used until it was worn out. He had told the Hon. member that he was defeating his own expectations, and that it would be much better to wait until the next Census made. But it was all of no use. Then the agitation against separate schools commenced, and a considerable excitement was raised upon that issue in Upper Canada. Next there was the outcry against Religious Corporations, and other such aggressive topics, which tended still further to exasperate Lower Canada. But he would ask what had been gained by them? Perhaps it might be said that the cry against Separate Schools had kept them from increasing. But it was certain that those schools had done no mischief, and at this moment they had ceased to be an element of discord, for there was really no disposition to multiply them, it being found that they were not so efficient as the common schools. Then where was the value of asserting the principle of Representation, unless the doctrine could be carried out? Supposing it had been resolved to a principle that was just and fair by Parliament, it could not bind their successors; and he maintained it was better to leave it till after the next Census, by which time, probably, the Reform party would be in power and in a position to carry it out. The Census honestly taken, he (Hon. J. S. McDonald) would be as ready as any one to act, if it should be

found that Upper Canada had such an excess as was asserted. But till then he held it would be unfair to adopt the principle contended for. To press the subject without evidence was like going into Court without grounds showing cause why a rule should not be granted. The junior member for Montreal (Mr. McGee) and his Hon. friend at his side (Hon. Mr. Dorion) were rabid in their advocacy of the principle. But of what use were all their efforts? And then if it carried it would be sure to crush them. In 1855-6 the Opposition in Upper Canada had continued to be popular; but the principle of governing one section by another had not culminated. In 1856 there were symptoms of disaffection in the Ministerial ranks, for Sir Allan McNab was long ill, and a strong desire existed to get rid of him: first by invoking the aid of the double majority, and then by—Hon. members were aware. The next day Col. Taché was appointed Premier, and Hon. J. A. Macdonald leader in the Assembly. Circumstances then occurred to show that the double majority was considered to be an essential element, not for carrying out Responsible Government, but to oust a colleague. And he (Mr. J. S. McDonald) to test the sincerity of members, had introduced a series of resolutions on the subject, which he would shortly proceed to read. And he would ask if at that time the principle had been adhered to (the Lower Canadians seeming disposed to do justice to Upper Canada) whether we should not have had a relief from the odious coalition which had since held the reins of government? By negating these Resolutions every member from Lower Canada was licensed by the consent of the Hon. member for Toronto—for he voted against and denounced them—to vote and legislate on measures particularly affecting Upper Canada. His Hon. friend from Toronto voted against the double majority, and said it was not necessary that there should be majority in both sections; as long as there was a majority of the whole house, it was sufficient. He (Mr. McD.) had put in a resolution concerning representation by population, because it was at that time the watchword in Upper Canada; but it was voted down. Upper Canada now complained of being ruled by Lower Canada; but whose fault was it? If Upper Canada had had the advantage of the double majority there would have been no occasion to-day to ask for Constitutional changes or federation. He had never doubted but that justice would be done by Lower Canada to Upper Canada; but unfortunately the opinion had been formed that the double majority principle if then applied would oust the Coalition Government who joined Mr. Brown in opposing it. Mr. Lafontaine was in favor of double majority; but his pupils repudiated his principles.

Hon. Atty. Gen. CARTIER said the Hon. gentleman ought to remember that he (Mr. Cartier) was one of the warm supporters of Mr. Lafontaine when in the Government, but there was no Double Majority advocated then.

Hon. J. S. MACDONALD said that the LaFontaine Government always had for its support a majority from both Sections, his (Mr. Macdonald's) Resolutions received but a small vote. In his simplicity he supposed that what was good in old reform times would be good also in new reform times. Hon. gentlemen spoke of Lower Canada governing Upper Canada, but they themselves had given Lower Canada that license. It was the general opinion that there was no remedy remaining for these grievances but to set the Constitution aside. But if the Government formed in 1858 by the Hon. member for Toronto had received fair play, he was convinced that we should have heard nothing of these organic changes. Our present Constitution would have been deemed sufficient. The Hon. junior member for Montreal had been but a few years in the country and could not be expected to understand our politics as thoroughly as those who had lived here many years, and though his speech was interesting and eloquent, it comprehended no argument in support of the Federal scheme before the House. Unfair measures were taken to defeat the Administration of the Hon. member for Toronto. That Administration was charged with having no policy, and that was made the pretext for turning them out. But, it was admitted by Lord Stanley, now Earl Derby, that an Opposition was not expected to have any policy; their duty was simply to oppose everything—aye, even to turn out the Government and support nothing. [Hear, hear.] The Brown-Dorion Administration had not time to make their preliminary arrangements before they were turned out. He would say concerning his own party, that their extreme views on Separate Schools, on Representation by Population and on other matters, and their crusade upon Lower Canadians, were calculated to exclude them from office and aggravate the evils of which they complained. (Hear, hear.) When he said he belonged to the Reform party, he only said what was well known. He belonged to the old Reform party—the party which had for its object to see Upper Canada governed as she ought to be. This party never desired to make political capital out of religious cries—they did not desire to set one section of the Province against the other—and he hoped that the day was not far distant when the whole Reform party would achieve what it was striving for, namely—the good of the country, and eschew all such nostrums as those proposed by the Resolutions. When the question of the Federation was first proposed to him in Toronto, he had distinctly stated that he was against it, and that any motion on the subject would not meet with his support. He did not believe that the Constitution of the Government required to be changed. We had all the elements of a good Constitution. He did not believe in checks, such as those proposed in any Government. Were there any checks on the English Government? Certainly not. The voice of the people was there check enough. And even if checks were imposed, means would soon be found to over-ride them.

It was said the people of Upper Canada were unanimous in demanding Constitutional changes. Was this so? It was strange if it was, that there should be such a diversity of opinion among gentlemen in the House, neighbors, one of whom would state that his Constituents demanded those changes, while the member from the adjacent county protested to the contrary. Corruption had been spoken of as a ground on which to demand Constitutional changes. But what was the fact? There was as much corruption before the Union, as there was since. All that time, a considerable portion of the appropriations in the Upper Province was secured in the log rolling system—and being often misapplied to worthless and unproductive purposes. The credit of the country became such, and owing to the disturbed state of public affairs she could not raise a dollar in England. However, to come to a point more immediately affecting gentlemen sitting on his own side of the House. A great deal had been said about the *cessitaires* and the *seigniors* in connection with the Brown-Dorion Government. He now begged to say that it was agreed that the casual rights due the *seigniors* should be paid by that Administration, out of the Public chest—so that the *cessitaires* should not be called upon to reimburse the amount. (Confusion and Cheers.) Yes it was better Hon. gentlemen should understand this matter fully, since a great deal of misrepresentation with regard to the fact had been made use of in Upper Canada, in order to urge a change in the Constitution. It was said that he must be read out of the party—in consequence of his refusal to countenance the recent movements. But he owed no allegiance to any man or set of men. He owed allegiance only to the true Reform principles—and to them alone. By those he still stood. But let him ask had Hon. gentlemen on his side of the House fairly represented the feelings and circumstances of Lower Canada to the people of Upper Canada? They had not. They had misrepresented facts—stating, for instance, among other things, that the 22 Gaols of Lower Canada, now in course of construction, were paid for out of the Consolidated Revenue, whereas they were paid for out of the Clergy Reserves belonging to Lower Canada alone. This and many other false cries were raised, and many Hon. gentlemen in the House knew very well that they would never have been returned to the House were it not for those self-same false and unfounded statements. It was best that light should be thrown now on all those subjects. It was well that the House should know that it had been made the basis of the Brown-Dorion Government that the casual rights due by the *cessitaires* to the *seigniors* should be paid by that Government. (Hear, hear.) He would wait patiently until he was contradicted.

Hon. Mr. THIBAudeau—You cannot be contradicted—for it is true.

Hon. Mr. McDONALD, passing from the subject, said that a great outcry had been made against Lower Canadian votes ruling Upper Canada. But he would like to know what

amount of the indebtedness of the country had been added to it by Lower Canadian votes? The North Shore Railroad, which was to extend beyond Lake Huron, might be pointed to—but the land appropriated for that scheme was yet unused, and in his opinion it would remain untouched for a long time for the purposes of building that railway; and he believed that in the long run it would revert back again to the Province. Was the Grand Trunk indebtedness forced on Upper Canada by Lower Canadian votes? Certainly not. Why there was the Honorable member for North Waterloo (Honorable Mr. Foley) who voted for that measure, and many Upper Canadians with him. Then how could it be said that it was Lower Canadian votes that this measure was attributable? Was it not absurd, then, to say that the indebtedness of the country was owing to Lower Canadian votes? It was evident that these cries had been got up to break down the present constitution—and he (Mr. McDonald) would be no party to the breaking down of it. When the constitution was in danger, nothing should be concealed—and he would expose all attempts to undermine the constitution. (Hear, hear.) It had been charged against him (Mr. McDonald) that he had stated some time ago in the House that he would oppose all measures coming from the Attorney General West. It was true that when that Hon. gentleman was, on the occasion referred to, forcing through the House certain measures contrary to the wishes of gentlemen on his (Mr. McDonald's) side of the House, who were in the majority, he had stated that, as he believed that Hon. gentleman did not represent the feelings of the people of Upper Canada, he would oppose his measures. But were the measures passed on that occasion of such a character as to demand a change in the constitution? He had a list of them which he would read and leave Hon. gentlemen to judge of their importance. The first was a Bill relating to the establishment of a Registry Office. Was that a measure of sufficient importance to call for a change of the Constitution? Then there were the measures relating to Surrogate Courts, Mill-dams, and other unimportant questions. The character of these measures surely was not enough to demand great changes in the Constitution; and he (Hon. Mr. McDonald) never thought that they were. But, at the time, he thought it highly presumptuous in the men in power to legislate at all for the people of Upper Canada. Then there was a measure relative to Polling places, another, relative to Divorce, and many other of a similar character. Were any of these of sufficient importance to demand a change in the Constitution? He did not think any one would venture to say so. His opinion of the benefit of the Union were in total variance with those expressed in the resolutions before the House. He differed in *toto* from the principles of those

resolutions. Let Hon. gentlemen contrast the position of the Province now with what it was before the Union. Was Upper Canada in the same favorable position then that she was now? Certainly not. Before the Union, the Upper Canadians were as people put down, trampled on, and ill-treated, until they were driven into rebellion. Was there not a wonderful change since then? Was there not a corresponding change in the affairs of Lower Canada? In the matter of education in that section of the country, a great improvement had taken place. Prior to 1847, very little improvement in the establishment of Common Schools had been made owing to the apathy and opposition of the *habitants* to the Educational Institutions authorized to be established, under the Common School Act. In 1847, the number of Schools in Lower Canada was only 1,727, with an average attendance of 68,133 pupils. In 1853, the number of schools was 2,352, and the number of pupils, 108,284. In 1854, schools, 2,795; pupils, 119,733. In 1855, schools, 2,869; pupils, 127,058. In 1856, schools, 2,919; pupils, 143,141. In 1857, schools, 2,946; pupils, 148,798. And in 1858, schools, 2,985; pupils, 155,986. It was very satisfactory to contemplate the change that had taken place in public opinion in Lower Canada since the time when they would not submit to be taxed for educational purposes, and notice the present cheerful state of things. He could recollect the time when there were only four Gaols in Lower Canada. Now there were twenty-two Court Houses and Gaols, being built out of the Clergy Reserve Fund. Then strong objections had been raised against the item appropriated for the Water Police at Quebec and Montreal, but in his opinion this was very unreasonable. The ships that came to those ports require to be protected, and as the whole trade of the Province was concerned in their coming, he could not see that the cities should be expected to shoulder the burden alone. Yet a great hue and cry on the subject had been raised in Upper Canada, against which he desired to enter his protest, as an exceedingly improper mode of manufacturing popularity for the objectors. As to the change of constitution asked, he held it to be an attempt at perpetrating a grave wrong, and until he despaired of obtaining justice from the Lower Canadians, he would never join in the cry. (Mr. McDonald here incidentally alluded to the presumed attempt to depose Mr. Brown from the leadership of the Opposition, which he characterized as unfair, since it was well known that that gentleman was the recognized head of by far the largest party on that side of the House). False alarms, however, should not be raised by any party, and he saw no reason for convulsing the country with exaggerated statements of insurmountable difficulties in the way of agreement between the two

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, May 3, 1860.

CONSTITUTIONAL RELATIONS.

(Continued from our last No.)

sections. In his view of the case very great progress had been made towards cordial co-operation and harmony. There had been a gradual assimilation of the laws, and there was now an increasing social intercourse mutually pleasant and profitable. He saw no room at all for despair. The original laws and institutions of Scotland after 150 years of union with England were still intact, and it kept up its old national church, and parochial schools—the pride of Scotland's sons—and yet this was no bar to a good working of that union. And was it to be expected that in Canada, after 20 years, there should be a perfect fusion of elements much wider apart than at first, and an absolute homogeneity. Up to 1852 in Louisiana the French and English languages were used in the Legislature, and the papers and laws were printed in both languages, but he had been there quite recently, and the change was quite marked. French was hardly spoken at all now, and every body could speak English. How was it to be expected that the process of fusion should be very rapid here, when the Lower Canadian French were daily insulted and their institutions slandered and spoken of with the extreme of contempt? (Hear, hear.) He honestly averred that he was not at all surprised at the disposition of the French to keep away from a political party that treated them in this fashion; for one, he had carefully abstained from joining in such improprieties. It had been said that the Union was retrogressive. He denied it, and maintained that on the contrary, the proposed Federation would be so, and he would ask how such a scheme could possibly make of the Canadians a homogeneous people? It was clearly impossible for the country to jump at once into such a scheme as was proposed, even if it were

demonstrated that the Union was a failure, which he was in no wise prepared to grant. The Hon. member for Toronto had said that the Finance Minister had assailed the character of the Banks without being prepared to offer an acceptable substitute for them, and then that he had dropped his scheme, after he had done the mischief. Well, he thought the Hon. member was doing precisely the same thing;—he was attacking the Union without having anything to offer of a feasible character in lieu of it. With an honest Government, supported by a majority in both sections of the Province, the Union had worked very well, and it was only since we had been cursed with a wretched coalition, that it had not done so. The fault was not in the Union. The Hon. member for Toronto had partially given up Representation by Population as a cure for existing evils, and had devised a new scheme, the top stone of which was a "joint authority," and he (J. S. McDonald) earnestly desired to know what "some joint authority" meant, but it seemed extremely difficult to find out. When the large preponderance of population asserted to exist in Upper Canada was ascertained at the next census as a fact, he would be foremost to consider the question of Representation by Population. ("Hear, hear," derisively from Mr. Brown.) Well, what more could he say? He had been trusted by his friends for many years, and he expected to be in his place in the House when perhaps those who had assailed him would be on the outside of it. He had already alluded to the improvements going on in Lower Canada, but he could not help especially pointing to one. In 1844, when Hon. Messrs. Cauchon and Chauveau came into the House, very little English was spoken by the French members, and the gentlemen he had named seldom ventured to use it. But look at the very able manner in which the present member for Montmorenci now delivered himself in that language. If this were encouraged we would go on step by step and with a double majority—(cries of "no, no," from Mr. Notman.) Well, the Hon. member reminded him of a Yankee who so cordially hated

Kings that he would not wear a crown to his hat. (Great laughter.) The double majority would secure peace and harmony, and then the Union would work. The Opposition were not the only party, however, that had raised false issues and alarms, for many of the supporters of the Government had used the same means to excite their constituents against Lower Canada, and on taking their seats repudiated what they had but recently expressed at the hustings. He would, as he had already said, go for the maintenance of the Union, but it would not cure all evils, for unless people were taught to practice economy and retrenchment at home, and to avoid dangerous speculations, there would be just such troubles as we had had of late. It was the duty of the members to inculcate these principles in their constituencies and to enforce them by their own example. Meanwhile there was no danger to the Constitution. But he would say that if the Lower Canadians continued to refuse all the suggestions for a better understanding with their brethren from Upper Canada, and persisted in assisting the Government in ruling against the wishes of the people of that section, they would at last discourage the remaining friends of the Union, and the time of retribution would arrive. The patience of the people of Upper Canada was nearly exhausted, and he confessed his own had been already very much tried and could not last much longer.

Hon. Mr. DORION said, the Hon. member for Cornwall had expressed the same views he (Mr. J. S. McDonald) had always held on the subject of the constitution, which were that it would be sufficient to amend and improve the present constitution, instead of framing a new one. There was a difference of opinion between the Hon. gentleman and his colleagues as regarded the Seigniorial Tenure, but it was not as to whether the Government was carried on with advantage to the country, for the Hon. member admitted that the present position of Upper Canada was intolerable, and could not continue. The oppression was the same as that of which Lower Canada complained when she was systematically governed by the other section. It could not be shown that the present grievances were the result of the coalition. Sir Charles Bagot admitted into his Council men having the confidence of both sections of the country; but Sir Charles Metcalfe sent those men adrift, and chose in their places men having the confidence of only a small majority in Lower Canada. After years of struggling on the part of the minority of Upper Canada and the majority of Lower Canada they overturned that Government, and from 1848 to 1851 responsible government was carried on, and Messrs. Baldwin and Lafontaine had with them the feelings of a majority of the people of both sections of the country; but from 1851 to 1854 that was not the case. The people of Upper Canada were not allowed to settle the Clergy Reserve and other questions of their own. If these were the facts, if for the nineteen years since the Union the Government had in almost every instance been

carried on against the express wishes of a majority of the people, then the position of the Hon. member for Cornwall was evidently untenable. The ground taken by that Hon. gentleman was that our evils were not the fault of the Constitution, but only of the men. But the object of a Constitution was to check those who governed, and prevent maladministration. The Hon. member in adhering to the present Constitution had overlooked the great differences in language, customs and religion between the people for whom it was intended. It was admitted a year ago by the whole Cabinet that Constitutional changes were absolutely necessary; the difficulty was, to arrange justly the question of representation by population. The Hon. member for Toronto had charged him with being rampant in favor of representation by population; but he had always voted against it, because he knew it could not be granted under the present constitution; but if Upper Canada wished to have representation by population he was willing, for he was convinced that a larger and larger number would come down to the House after every general election demanding it as a matter of justice. It was natural if they had a larger population that they should feel aggrieved by an inadequate representation in Parliament. As a proof of public feeling on the subject, eighteen supporters of the Government who had voted against representation by population had been defeated at the next subsequent election. He was so convinced that a collision must take place between Upper and Lower Canada that he had stood between two parties to avoid it, and would be willing to make any satisfactory arrangement between the two sections to prevent that event. Even the Hon. member for Cornwall had admitted that if the census showed a large majority in Upper Canada he would then propose a remedy, and there was no remedy but representation by population. There was every probability that the census would show a majority of from 150,000 to 250,000 in favor of Upper Canada, and when the representatives of Upper Canada combined with the determination of securing representation by population, they would undoubtedly obtain it. The Hon. gentleman contended that if ever a Double Majority could be worked, it was by giving to each section of the Province the management of its own local affairs; and that where there were such different populations as existed in Upper and Lower Canada, that was the only way in which they could be properly governed. He hoped, however, that the day would come when it would be desirable for this Province to federate with the Lower Provinces. But the present was not the time for such a scheme. Even if Canada was in favor of it, the Lower Provinces would not like to enter into it on account of the great debt of our Province. As regards the "joint authority," he would say that it should have as little power as possible. But those in favor of a Federal Union of the Provinces must see that this proposed federation of Upper and Lower Canada was the best means to form a

nucleus round which a great federation of all the Provinces could be formed in the course of time. With regard to checks alluded to by Hon. gentlemen, he begged to state, on high legal authority, that checks were necessary for the proper working of a Government. Great stress had been laid on the action of the Brown-Dorion Government regarding the Seigneurial Tenure. It was strange that such a flourish should have been made when it is the fact that all the intention of the Brown-Dorion Government regarding that scheme were fully set forth in print under his own signature long ago. The Brown-Dorion Government was formed in a short time, and a certain basis was laid down for it. It was provided that the Seigneurial Tenure should be considered; also the Seat of Government question; also Representation by Population. It might be that the members of that Government did not all agree on all those measures. Just in the same way that the member for St. Hyacinthe left the present Administration on the Seat of Government question.

Hon. Mr. SCOTTE went into the Government in question on the understanding that if it was attempted to settle the matter contrary to the vote of the House that he would leave it.

Hon. Mr. DORION considered then that the Hon. gentleman went into the Government on the understanding that the Seat of Government was to be settled in accordance with the vote of the House.

Hon. Mr. GALT referred the Hon. gentleman to Mr. Scotte's own printed explanation.

Hon. Mr. CAUCHON would like to know where the document was, signed by the members of the Brown-Dorion Government, and containing their measures?

Hon. Mr. DORION said that the document referred to was not signed. It was a mere slip of paper of about a dozen lines, containing the names of the measures he had alluded to, and if he had it it should be produced. The Hon. gentleman then alluded to the Double Majority, Representation by Population, and a Federal Union of all the Provinces, and said that although the latter scheme would be the best in ten or twenty years, yet that at present the Federal Union of Upper and Lower Canada, as proposed in the resolutions, was the best remedy for the existing evils of the country in his opinion.

The House then adjourned, at 12 o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, May 4, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

VICTORIA BRIDGE.

Hon. Mr. ALLAN drew the attention of the House, and especially of the Government, to the claims of Mr. Keefer, in reference to the Victoria Bridge. The approaching visit of the Prince of

Wales to see Canada, and to open the Victoria Bridge, rendered this a most appropriate time to draw attention to the subject. It is well known that in 1846, Hon. John Young and the present Financial Minister, obtained a survey of the St. Lawrence under an Engineer of experience, with a view to finding out the practicability of building the Bridge. The Engineer in question pronounced it impracticable. In 1851, Mr. Young obtained another survey under Mr. Keefer, an Engineer of the highest ability, the result of which was published in a report next year, demonstrating the practicability of constructing a Bridge over the place where the Victoria Bridge now stands. The report set forth the manner in which the Bridge ought to be constructed; and it was constructed precisely after the manner set forth in the report. This being the fact, he thought it but due to Mr. Keefer that his name should be engraved on the Victoria Bridge, beside the names of the other Engineers connected with the construction of the work whose names had been engraved on it already. The claims of Mr. Keefer to the original conception of the work had been frequently acknowledged by Stephenson the great Engineer, whose name is also connected with the work. Mr. Keefer's claim had been recognized by the Grand Trunk Railroad Company—and also by American Railroad Journals. It was but just then that Mr. Keefer's claims should be recognized in his own country. It might be thought that it would be impertinent in him to make any suggestion to the Government on the matter; and he merely drew attention to the subject, trusting that justice would be done in the premises.

Hon. Col. PRINCE fully concurred in what had fallen from the Hon. gentleman, respecting the claims of Mr. Keefer, and trusted that the Government would take cognizance of the subject.

Hon. Mr. DEBLAQUIERE also agreed with what had fallen from the Hon. gentleman who had introduced the subject. Mr. Keefer's claims were undoubted, and he thought it would devolve upon the Government, when presenting to His Royal Highness, the Prince of Wales, on the occasion of the opening of the Bridge, the various persons to whose skill and genius it owed its existence, to point out Mr. Keefer as the originator of that grand scheme.

Hon. Mr. CRAWFORD, while giving Mr. Keefer due credit, said that the Directors had never been consulted about the engraving of the names already on the Bridge. That had been done by the Contractors. It it were possible he would like to see the names of Mr. Keefer and his brother engraved on the Bridge, as it was due to them that it should be so.

Hon. Mr. VANKOUGHNET concurred in the tribute that had been paid to Mr. Keefer's Engineering skill, and said that he would repeat what had passed in the House, and do what was right. At the same time he would remind the House that the Government had nothing at all to do with the Victoria Bridge.

The subject then dropped.

THIRD READINGS.

The following Bills were read a third time :—

BILL—Free Ports of Entry. Hon. Mr. *Vankoughnet*.

BILL—Berthier Common Incorporation.—Hon. Mr. *Armstrong*.

BILL—British American Manufacturing Co. Hon. Mr. *Ferrier*.

BILL—Amendment of Representation Act in Consolidated Statutes.—Hon. Mr. *Christie*.

APPREHENSION OF OFFENDERS.

Hon. Col. PRINCE moved the second reading of the Bill to provide for the apprehension and surrender of offenders not provided for by the Ashburton Treaty.

Hon. Mr. VANKOUGHNET said that he had consulted the Attorney General West on the subject of the Bill, and he thought the Bill ought not to be pressed. It was one of those Bills that ought to proceed from the Government—affecting as it did the Criminal Law. He thought it was a matter in which the Imperial Government ought to be consulted. The attention of the Government was now drawn to the subject, and his Hon. friend would do well not to press the matter further.

Hon. Col. PRINCE withdrew his Bill.

SECOND READINGS.

The following Bills were read a second time:

BILL—Clarendon Township Side Lines.—Hon. Mr. *Crawford*.

BILL—Brockville and Ottawa Railway.—Hon. Mr. *Crawford*.

BILL—Guelph Town Debt Consolidation.—Hon. Mr. *Christie*.

BILL—St. Patrick's Literary Association.—Hon. Mr. *Christie*.

BILL—Sherbrook Cotton Manufacturing Company.—Hon. *Hollis Smith*.

SALE OF LAND FOR TAXES.

Hon. Mr. BOULTON introduced a Bill relating to a sale of land for taxes in the united Counties of Peterborough and Victoria.

The Bill was read a first time and ordered to be read a second time on Monday

The House then adjourned..

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, May 4, 1860.

Mr. SPEAKER took the chair at 11 o'clock, A. M.

SUPERANNUATION FUND.

Hon. Mr. SHERWOOD moved the adoption of the Report of the Committee of the Whole on the resolution relative to the establishment of a Superannuation and Annuity Fund for the Civil Servants of the Crown.

Hon. Mr. BROWN, Hon. Mr. FOLEY and others, repeated their objections to the scheme of the Hon. Receiver General.

One o'clock having arrived, the Speaker left the Chair.

[SECOND SITTING.]

Mr. SPEAKER resumed the chair at 4 o'clock. FEUDAL RIGHTS AND DUES, MONTREAL.

Hon. Atty. Gen. CARTIER presented a Message from His Excellency the Governor General, transmitting certain resolutions relative to certain Feudal Rights and Duties in the District of Montreal.

On motion of the Hon. ATTORNEY GENERAL, it was resolved that the House go into Committee on the Resolutions on Tuesday next.

SUPERANNUATION AND ANNUITY FUND.

Hon. Mr. SHERWOOD moved the adoption of the report of the Committee of the Whole on resolutions relative to a Superannuation and Annuity Fund.

Hon. Mr. BROWN thought it most unreasonable to ask the House to commit itself by adopting this report before the particulars of the plan had been laid before them. An examination of the Public Accounts showed an increase of fifty, sixty, and seventy per cent. in the salaries of nearly all officers and clerks in the Public Offices, besides a great number of new appointments, since the advent of the present Administration. The vote of \$210,000 could not therefore be claimed on the ground that the small salaries of the clerks and officers would not allow them to make provision against old age for themselves or their families. He therefore moved in amendment that the resolutions be not now concurred in, but that it be resolved that it is inexpedient to consider the question of establishing a pension system for the employees until a thorough investigation has been made into the state of the Public Departments, the number and occupation of the Employees, and the salaries now paid.

The House divided—yeas, 37; nays, 63.

The Report was then adopted, and a Bill entitled "An Act to enable the Public Servants of the Province to establish a Superannuation and Annuity Fund," was read a first time.

QUESTION OF PRIVILEGE.

Mr. LANGEVIN said, that a Bill had yesterday passed the House and been transmitted to the Legislative Council, entitled "An Act to Incorporate the Canada Central Railroad Company, and for other purposes." By that Bill four millions of acres of land were voted to that Railroad Company, as he had reason to believe, without the knowledge of the House. A Bill was passed in 1856, incorporating the North Shore and Montreal and Bytown Railway Company, and granting them four millions of acres of land, on condition that a portion of the Railroad not less than twenty miles should be completed within three years, or the whole completed within seven years, from the time of Incorporation. But the conditions had not been complied with, and he believed the Act had ceased to exist. Now, the new Bill had the effect of reviving this grant of four millions of acres of land to the Canada Central Railway Company, but the previous Act having proba-

bly expired, he contended that this appropriation of the Public land should have originated in Committee of the Whole, and that by the Act of Constitution the consent of the Crown was required prior to any action of the House. His grounds of objection were, that the consent of the Crown had not been announced to the House, that the measure had not originated in a Committee of the Whole, and that there was a possibility of the previous Act being still in existence. He therefore moved that a Message be sent to the Legislative Council, asking for conference on the matters concerning a privilege of Parliament, and communicating a statement of the circumstances under which this Bill had been passed by the House.

Hon. Mr. FOLEY said, if there was substance in the objection of the Hon. member for Dorchester, it could hardly be conceived that it should have been overlooked by the Hon. Atty. General East, who was the Chairman of the Railway Committee.

Mr. W. F. POWELL said, if the Hon. member for Dorchester really held the opinion he had expressed, he was astonished that he should have been so remiss in the performance of his duties as not to have read the Bill as it was passing through the different stages in this House, and have then called the attention of the House to it. The petition on which the Bill was founded, as well as the preamble of the Bill itself, set forth all the facts, so there could be no charge or insinuation of an attempt to smuggle the Bill through the House. The Ottawa Company exported between ten to twelve millions of dollars worth of timber every year, and yet that section of the country had never received one dollar's worth of aid for Railway purposes. Was it not important that the future seat of Government should have a Railway connecting it with the commercial metropolis of Canada. That city—Montreal—had so strongly felt the importance of this, that they had willingly subscribed £100,000 for the construction of such a road, and he could not understand the objections of the member for Dorchester to the Bill passed by this House, and now before the Council.

Hon. Mr. SICOTTE—The Bill dealt with the Public Domain, and should have been treated like other similar Bills. He could not understand how the Railway Committee should have allowed the Bill to pass unnoticed; but be that as it might, it was clear that a grave mistake had been committed, but it was still competent for the House to arrest the Bill, and no doubt it would at once do so. The Union Act was precise on the subject, and made it absolutely necessary that Bills for granting money or public lands should originate with a message from the Head of the Government and be passed through Committee of the Whole, and as this had not been done, the proceedings taken on the Bill were of course invalid.

Mr. DUNBAR ROSS said, that not only should the Bill be stopped, but the Committee that had allowed the Bill to pass, ought to give an ac-

count of the manner in which this grave oversight had taken place.

Hon. Mr. BROWN thought the Government should say whether they were aware of the character of the Bill when it passed through the Committee. The initials of the Atty. Gen. East were signed to each clause, and he would like to hear from him some explanation of this extraordinary matter. The party who introduced the Bill was bound in honor to state the provisions of the Bill, especially in relation to this grant of 4,000,000 acres of the public lands, and he presumed he must have done so.

Mr. POWELL said, that he had fully explained the matter to parties connected with all the Railways interested, and they were all represented in the Committee.

Hon. Mr. BROWN—Well, it was for the Atty. Gen. East to answer and say whether he knew the effect of this clause, and if the Crown had been consulted about it, or if it had been allowed through negligence to pass.

Hon. J. S. McDONALD expected an explanation from the Government, and he was surprised that the Atty. Gen. should sit there and not be forward to offer the explanation required.

Hon. Atty. Gen. CARTIER explained that the whole merits of the Bill were discussed in Committee. The different companies which had been incorporated were represented in the Committee; and as they consented to forego the privileges given to them under their respective acts, he saw no objection to the new company being incorporated, so that such an important line of road might be constructed.

Mr. D. A. MACDONALD being anxious that a Railway should be built to Ottawa, and on up the Ottawa, he had supported the Bill, but the member for Cornwall thought that other parties interested should be consulted first. However, the member for Carlton was anxious to proceed, and he (D. A. Macdonald) not thinking it fair, left the room and went to look for the member for Carlton, and before he got back the important parts of the Bill were passed.

Hon. J. S. McDONALD had always complained of the great haste in the Railway Committee, and he had often predicted that some mischief would result from it; and now it appeared that 4,000,000 acres of land had been thrown away. Why he had found that the Bill had never been distributed in the House.

Mr. W. F. POWELL said, this was directly untrue, and he appealed to the member for South Ontario as to whether he had not handed him three copies.

MAJOR CAMPBELL said, he had his, so did Mr. M. Cameron, and so did Mr. Brown.

In reply to Hon. Mr. SICOTTE, Hon. Atty. Gen. CARTIER gave it as his opinion that the grants to the other Companies had not lapsed, inasmuch as the Government had not foreclosed them, having no official cognizance of the conditions of the charters not having been complied with.

Hon. Mr. DORION argued that, until the conditions of the charters were fulfilled, the Companies were not entitled to the lands. No con-

veyance of the lands having been made to any of the Companies, the lands had not come into the legal possession of the Companies. They were still a part of the public domain, and consequently it was clear to his mind that, as the Bill appropriated the public domain, it ought to have originated in Committee.

Hon. Atty. Gen. CARTIER reiterated his previous statement and opinion. He did not oppose the motion.

Hon. Mr. SPEAKER suggested that the motion should be amended, so that the object of desiring a conference with the Upper House should be stated.

The motion was then put and carried.

BILLS READ A SECOND TIME.

BILL—respecting Custom's Duties.—Hon. Mr. Galt.

BILL—respecting the Line of Division between Upper and Lower Canada (From Legislative Council.—Hon. Mr. Cartier.

BILL respecting Foreign Judgments—Hon. Mr. J. A. Macdonald.

BILL concerning the Inspection of Flour—Hon. Mr. Rose.

BILL respecting Trade Marks.—Hon. Mr. Rose.

INSURANCE COMPANIES.

Hon. Mr. ROSE moved the second reading of the Bill (from Legislative Council) in relation to Insurance Companies not incorporated within the limits of the Province. He explained that the Bill required a deposit of \$50,000 by each foreign company operating in the Province, and had been so amended as to apply to Fire Insurance Companies only.

Hon. Mr. BROWN said the effect of this restriction would be to drive out foreign Companies. He thought the same liberties should be allowed to Insurance Companies as to parties transacting any ordinary business. Many Canada Companies too, were unsound, and if there were any restriction it should be general in its application. But the amount of security required was quite insufficient to guarantee payment, and would be a mere bagatelle to many of the large Companies doing an extensive business in the Province.

Hon. Mr. FOLEY was entirely in favor of the Bill, and though it might not secure people to the full extent, yet the deposit would be a proof of the good faith of the Company. The country had lost largely by unsound foreign Companies, and he was glad to support any measure that tended to protect the public against the frauds of irresponsible parties.

Hon. Mr. DORION said the effect of the Bill would be, to induce Companies having no character at home to come to Canada, where by making this small deposit they could at once secure a character which they were not entitled to.

Hon. Mr. SICOTTE was opposed to this Bill, and was in favor of free trade in Insurance. The same restrictions were applied in the United States, but did not prevent unsound Companies from doing business there, and would not here.

Hon. Mr. CAYLEY said he held many letters from Foreign Insurance Companies, expressing approval of this measure, and hoping it would be carried out.

The Bill was then read a second time, and on motion of Hon. Mr. ROSE referred to Committee of the Whole on Wednesday next.

The House then adjourned, at 1.25 A. M.

LEGISLATIVE ASSEMBLY.

QUEBEC, Saturday, May 5, 1860.

Mr. SPEAKER took the chair at 11 o'clock, A. M.

COUNTIES OF PEEL AND YORK.

Mr. CARLING moved the House into Committee on the Bill to provide for the separation of the County of Peel from the County of York, and to provide for the selection of the County Town. A debate was proceeding when the hour of noon arrived, at which time the House had agreed to take up the motion respecting

CONSTITUTIONAL CHANGES.

When Hon. Mr. CAUCHON, who had the floor, declined addressing the House on the subject.

Hon. Mr. FOLEY said he was very anxious to speak on the question, but was not prepared with his references, not having understood that the debate was to come up at noon. He therefore requested as a favor that the subject be allowed to stand over until Monday next.

Hon. Mr. CARTIER not consenting, Mr. PATRICK formally moved the postponement of the debate until Monday.

This motion was negatived—yeas, 30; nays 55.

After some further discussion, Hon. J. S. Macdonald moved the adjournment of the House, and the motion was under consideration when the hour of three arrived, when, according to the rules, Mr. SPEAKER declared the House adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, Monday, May 7, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

BILLS READ A THIRD TIME.

The following Bills were reported from Committee and read a third time :

BILL to establish and confirm certain side lines in the Township of Clarendon, in the County of Pontiac.

BILL to incorporate the St. Patrick's Society, Montreal.

BILL to enable Alex. Donald Austin, Eneas Macdonnell and others, to sell and convey certain lands in the Town of Galt, notwithstanding their disabilities.

BILL to provide for the Consolidation and Liquidation of certain debts in the Town of Guelph, not affected by the act respecting the Consolidated Municipal Loan Fund.

JUDGE CARON.

On the House going into Committee on Privileges, on the Report of the Select Committee on the Petition of the Hon. René E. Caron,

Hon. Mr. VANKOUGHNET said, that Judge Caron founded his claims to be restored to his seat in the Council on two grounds. First, that he ought not have been unseated at all, because he was absolved from attending in his seat by an Act of the Legislature, in the appointing him to the Judgeship. And secondly, he contended that the proceedings against him were void, because he was not heard in his own defence. With regard to the latter argument, it was true that no man had a right to be condemned unheard; and Judge Caron claimed his right on the ground that a foreign judgment procured against a man who had no notice of proceedings against him would be void. According to the Act of Union a Legislative Councillor vacated his seat by remaining away two successive Sessions, without leave, the hearing and determining of such vacancy being left with the Legislative Council by a message from the Governor General announcing the fact. Now Judge Caron contended that the "hearing" mentioned in the Act was not merely *ex-parte*; but that the party interested should be heard as well as the message from the Governor General, announcing that the party in question had not attended in his place for the prescribed time. The Council had already disposed of the "determining," in the decision arrived at in the case of Hon. Mr. Viger, which occurred some few years ago. In that case the plea of sickness had been set up; but the House determined that that was a case in which he ought to have applied to his Excellency for leave. It was clear that the House had a right to proceed *ex-parte* and without notice. The House knew that the petitioner in this case had been made a Judge; and the House also knew the Statute, and must be considered as coming to its conclusion on proper grounds—and that therefore the seat of Judge Caron was vacant. The only course then open to him was to appeal to the Privy Council. The "hearing" it was thus seen had been determined by Viger's case; the "determining," by the decision of the House declaring the seat vacant. So that as far as the House was concerned the affair was settled. At the same time, it was his (Mr. Vankoughnet's) opinion that the decision of the House was wrong. The House had no right to deprive him of his seat. His seat was only suspended by the operation of the act. The Statute set forth that so long as he was a Judge, he should not sit in the House; but it did not say that his seat should thereby become vacant. If it were meant that the acceptance by a Councillor of a seat on the Bench, should make his seat vacant, the Statute would have said so expressly, but it did not—and it was therefore to be implied that the seat was not vacated, but only suspended. Really there was no use in the person so accepting office to go to the Governor General to ask for leave to stop away from the Council—for the Act provided for

that. This disposed of that part of the subject. He (Mr. Vankoughnet) thought that the Privy Council, if the case was carried there, would concur with him. However, the only thing the House could at present do, was to stand by the decision already pronounced, and to leave Judge Caron to his appeal to the Privy Council.

Hon. Col. PRINCE thought that there was not a *scintilla* of right by which Judge Caron could come back and re-take his seat. The decision already arrived at by the House on the subject, must be considered final; and any contrary decision now would be void and contrary to every principle of law. He contended that, when a gentleman in the Council accepted a seat on the Bench, he vacated his seat. If not, strange consequences would ensue. Suppose a case where a Judge should happen to be impeached for improper conduct and struck off the rolls. In such a case he would still be a member of the House, and could come back and claim his seat. He believed that if the case were carried to the Privy Council, that it would be dismissed. Even the Crown could not re-appoint him, and certainly the Privy Council would not. With regard to the required notice, the law was positive, and therefore no notice was required in that case, no more than there would be to determine a lease for a specific number of years; and Judge Caron ought to know that the law put an extinguisher on his right, and that no notice was required. It was quite clear to him (Col. Prince) that the Act of Parliament declared Judge Caron's seat vacant the moment he accepted the Judgeship.

Hon. Mr. BOULTON concurred in what had fallen from Hon. Col. Prince. He considered the seat of Judge Caron vacated. He would move in amendment—"That the report be not now adopted, but it be resolved that the Council cannot refrain from expressing its surprise, that Judge Caron, who, several years ago accepted the office of Judge, and thus vacated his seat, should now pretend that he had not done so."

Hon. Mr. VANKOUGHNET thought this amendment too strong, if amendment it could be called. He proposed instead of it a resolution to the effect that—"This Council, in conformity with the Act of Union, determined that the seat of the petitioner was vacant, and having thus adjudicated upon the question, resolved not to interfere with such adjudication."

Sir E. P. TACHE justified his conduct in acquiescing in the judgment of the House declaring Judge Caron's seat vacant, by stating that in a similar case—that of Judge Sullivan—Judge Caron himself, then the Speaker of the Council, had set him a precedent.

After a slight discussion, the resolution of the Hon. Commissioner of Crown Lands was put and carried unanimously.

INSOLVENT COMPANIES' RELIEF.

Hon. Mr. MACDONALD moved the second reading of the Bill to facilitate the winding up of the affairs of Commercial Companies unable to meet their pecuniary engagements.

Hon. Mr. VANKOUGHNET would not oppose the second reading, but said that he did not think that the Bill could even go through the Council at the present late period of the Session. The Bill was read a second time and referred to a Special Committee.

LAND SALE FOR TAXES.

Hon. Mr. BOULTON moved the second reading of the Bill relating to the Sale of Lands for Taxes in the United Counties of Peterborough and Victoria.

The Bill was read a second time and referred to a Special Committee.

ST. FRANCIS (DRUMMONDVILLE) BRIDGE.

Hon. Mr. FERRIER moved the second reading of the Bill to confer certain powers upon the Local Municipality of Grantham, Wendover, and Simpson, in the County of Drummond, in respect of the Bridge at Drummondville over the River St. Francis.

The Bill was read a second time and referred to a Special Committee.

QUEBEC ST. BRIDGET'S ASYLUM.

Sir. E. P. TACHE moved the second reading of the Bill to Incorporate the St. Bridget's Asylum Association of Quebec.

The Bill was read a second time and referred to a Special Committee.

CANADA CENTRAL RAILROAD.

Hon. Mr. CRAWFORD moved the Bill to Incorporate the Canada Central Railroad Company.

Hon. Mr. MORRIS said that there were rumors of fraud in connection with this Bill, which he hoped would be cleared up before the Bill was passed through the House.

Hon. Mr. VANKOUGHNET was sorry to hear the Hon. gentleman say so. Gentlemen of the highest respectability were connected with the scheme; it had received a searching examination in the other House—and it was uncalled for in the Hon. gentleman to call it a fraud on the strength of a mere rumor.

Hon. Mr. MORRIS had heard that the 4,000,000 acres formerly given to the North Shore Railroad Co., were about to be transferred to this Company without the consent of the parties interested in that first mentioned line.

Hon. Mr. SPEAKER said that the 49th rule of the House, requiring notice of the Bill to be published in the local papers, had not been complied with.

Hon. Mr. CRAWFORD moved the suspension of the rule.

Hon. Mr. TESSIER opposed it. This was an extraordinary Bill, and the rule should certainly not be suspended. The Bill evidently affected vested rights.

Hon. Mr. VANKOUGHNET thought that great misapprehension existed as to the Bill. The President of the North Shore Company approved of it; nor did it affect private so much as public rights.

The question to suspend the rule was lost on a division, and consequently the Bill was thrown over.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, May 7, 1860.

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

QUEBEC ELECTIONS.

Mr. SPEAKER informed the House that he had received certificates of the election of Hon. Charles Alley for Quebec West, and of Mr. G. H. Simard for Quebec Centre. Both gentlemen were subsequently introduced, and took their seats.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to afford relief to William Law and William Ridout, and to enable the Board of Examiners to examine and admit them as Land Surveyors.—Mr. *Notman*.

BILL (from the Legislative Council) intituled "An Act relating to penalties.—Mr. *J. B. Robtinson*."

CONSTITUTIONAL CHANGES.

The Order for the further consideration of Hon. Mr. Brown's motion on the subject of the Constitutional relations of Upper and Lower Canada, and Mr. Benjamin's amendment for the previous question, was then taken up.

Mr. WILSON took the floor. Having read the resolution, he asked whether it was true, or whether it was not true, that the Union had failed to realize the anticipations of its promoters? If it had so failed, then it would follow that some change ought to be made in our Constitutional relations; but it did not, perhaps, necessarily follow that there should be a dissolution of the Union, or that the principle of the double majority should prevail. He thought there could be no doubt of the fact that the Union had failed to realize the anticipations of its promoters; for instead of the English population and English legislation having the predominance, they found that the French population and French legislation prevailed. What, then, was the Constitutional change which he would desire to see effected? Several had been suggested. There was the Double Majority; Representation by Population, and Federation.

(To be Continued.)

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, May 7, 1860.

CONSTITUTIONAL CHANGES.

(Continued from our last No.)

As regarded the double majority, he did not think it could be relied on as being in effect a substantial Constitutional principle. At the best, it was only a temporary expedient. As regarded representation by population, if there were really a larger population in one section of the Province than in the other, he thought no plausible reason could be advanced against a proportionate representation for the more populous section. If this principle were not admitted, there must be a virtual disfranchisement of the excessive population. But the disparity in population was not great enough to justify a dissolution pure and simple, against which the physical necessities of the Province furnished the most conclusive argument. There were many difficulties in the way of a federation of all the Provinces. Such a scheme might at some future day be found advisable; but we had not sufficiently considered the differences in trade and products of the various Provinces to render it expedient at present. The most practical remedy that had been proposed, and the only one which he approved of, was a federation of the Eastern and Western sections of the Province and the establishment of a joint legislative authority. He censured the Governor General for having communicated with the Home Government as to the advisability of making constitutional changes without the sanction of the two Houses of Parliament. His Excellency had exhibited a degree of arrogance totally unwarranted, and had established a precedent which, if followed, might be productive of the most serious consequences to every one of the British American Colonies. But the communication to the Home Government was couched in terms highly reprehensible, implying, as it did, a threat that if federation were not granted, there would be a separation from the mother country and annexation with the United States.

Hon. Mr. FOLEY said, having been charged with infidelity to his party, and a departure from his principles, he felt bound in justice to himself to state fully and fairly his views, not only on the question before the House, but in reference to the circumstances which had transpired in connection with it since the commencement of the Session. In doing this he should endeavor to avoid all occasion of offence to gentlemen on his own side of the House, and of rejoicing to gentlemen on the other side. Doubtless every Hon. gentleman had perused a certain publication said to have been issued on the authority of an Hon. gentleman on that side of the House, professing to enter into particulars of the circumstances connected not only with the present position of the Reform party, but also with its past transactions. It was with particular reference to that publication that he felt himself called upon, before entering into the discussion of the question immediately before the House, to make reference. The first charge to which he would make reference was, that at a meeting of the party two years since he either instigated or was a party to a movement for securing his appointment to the leadership of the Opposition—that was a position to which he never aspired, and for which he felt himself so entirely unfitted, that even if it were offered to him, he should feel himself bound to reject it. He had already published a statement of the facts connected with what had then taken place, and in doing so he had introduced the name of the Hon. member for Lambton, throwing on him the responsibility of being the party to propose a change in the leadership. Seeing that Hon. gentleman in his place, he appealed to him to state whether he (Mr. Foley) had not set forth the facts correctly?

Hon. Mr. CAMERON nodded assent.

Hon. Mr. FOLEY said this relieved him from the necessity of repeating the circumstances to the House, as well as of the charge of having connived at the overthrow of the Hon. member for Toronto as the leader of the Opposition.

Another charge was that, after having taken part in the proceedings of the Convention, after having been a party at a preparatory meeting held at the Rossin House, he had acted inconsistently, by subsequently pursuing a course contrary to that assented to by him at that time. On that charge also he felt he was entitled to an acquittal. Anxious as he had ever been—anxious as he always was, to do all in his power to promote the interests of the party and to preserve its unanimity and harmony of action, he could not refuse the invitation sent to him by the Hon. member for Toronto to be present on an occasion which promised harmony to the party, and success in future party action. His proper place was with his party. His proper place was with his Hon. colleagues, in connection with whom, in his humble way, he had battled for the maintenance of those rights which, as the majority of the representatives of the people of Upper Canada, they felt the people of Upper Canada were justly entitled to. Anticipating that the result of the meeting would be the gathering of the public opinion of Upper Canada into one common focus—expecting that the consequence of the meeting would be advantageous to the country, and tend to the promotion of the interests of the party—he had unhesitatingly become one of its members and taken part in its discussions. At that meeting it appeared apparent that, whatever might have been the difficulties of the party—whatever the occasion of previous discussion—some policy would be adopted which would have the effect of collecting the elements of the party together and enable it to accomplish what it had professed to have in view—namely, the good government of the country. It was to him, however, an object of concern to find that certain of his friends from the central portion of the Province did not deem it to be their duty to be present, or that, owing to the fact of their being otherwise engaged, they were unable to give their friends the benefit of their counsel and presence. Still, from all that transpired, it appeared that, whatever might be the policy adopted at the meeting, it would be unanimously assented to by the members representing reform constituencies from one end of Canada to the other. It was also expected that entire harmony and unanimity between the party in Upper Canada and the party in Lower Canada would be the result of that assemblage. They had reason to believe that his Hon. friend from Montréal (Hon. Mr. Dorion) and those who had supported him would be prepared to join with them in devising a policy in which both sections of the country might agree. It was therefore with peculiar pleasure that he (Hon. Mr. Foley) assented to be one of an assemblage having such objects in view. The consequence of that meeting was that a Convention which would fairly represent all sections of Upper Canada was convened. It was not anticipated that that Convention would be composed alone of members representing Western constituencies—nor was it supposed that the action of that Convention would be confined even to the limits

of the Upper Province, much less to the portion of the West of Cobourg. The proceedings of the Convention so far as he was concerned in them might be stated in a few words. He was appointed a member of the Committee which was chosen to prepare the resolutions; but not being able to reach Toronto till the second day of the meeting, he was unable to be present when the resolutions were drawn up. When the resolutions had been brought under discussion, he was called on to address the Convention; but at the outset he declined doing so, as he was anxious that the proceedings should not be in any way controlled or influenced by the people's representatives, though subsequently in compliance with repeated calls he felt bound to state his views. It was said that the course taken by him now was inconsistent with the course taken by him on that occasion. The best evidence of the injustice of a charge of that kind was the report of the proceedings themselves, and the remarks of the press on his speech. He declared himself opposed to a dissolution of the union, and gave at length his reasons for the position he assumed. The *Globe*, referring in its editorial columns to his speech, said: "Mr. Foley then made a strong speech against dissolution; he was received by the meeting with great cordiality and heartiness." He read this extract to show that the attempts that had been made to establish inconsistency against him for the course he had since pursued was unfounded. He was opposed to dissolution then, and was opposed to it now. (Hear, hear.) He had expressed his views at the Convention frankly and openly without cover or concealment. After having done this, the discussion continued during the whole of the next day and late in the afternoon, with the view of reconciling the differences between the advocates of Federation and Disunion, a compromise was offered by Mr. McDougall, which issued on the bantering that had caused so much merriment on the other side of the House—the Joint Authority. The mover of the resolution for the Dissolution of the Union, pure and simple, was the present editor of the *Hamilton Times*—(Mr. Sheppard)—then a sub-editor of the *Globe*, and the mover or originator of the original resolution for a Provincial Federation, was the Hon. member for Toronto himself, as he had informed the House. Well, the compromise having been effected, it would have been but right that it should have been observed, and that until other members of the party had been consulted, it should have been adhered to. But what was the fact? Why that he (Foley) and his friends had been charged with occasioning renewed discussions on minor points, but he submitted that this was wholly incorrect. The proceedings of the Committee appointed by the Convention, were conducted by gentlemen resident in Toronto, without the aid or assistance of any one out of it, at least such was his belief, for he had no personal knowledge of the fact, for though he was a member of that Committee he had never been present at its sittings, and excepting one occasion he had received no

notice to attend them. And this notice came to him, or rather to his home, 100 miles distant from Toronto, on the day before the Committee was to sit. He went into these details not because he wished to escape any responsibility that properly devolved upon him, but to vindicate his precise relation to the proceedings. He imputed no objects and made no charges upon Hon. members in the House or upon any one out of it, but it was right the facts should be known. This brought him to the proceedings in Parliament which had made so much noise and given the Press so much to write about. On the first day of the Session the member for Toronto had placed a transcript of his resolutions in his hands saying he intended placing them on the notice paper, and asking his opinion of that course. He brought no charge against that Hon. member for intending a wrong, nor would he impute to him motives different from those he himself professed, but he would state the facts, leaving the House and the country to judge of them. Well, he gave the Hon. member his advice, which was not to put the Resolutions on the paper until he consulted the party, and this advice, be it understood, was given to the Hon. member at his own solicitation. The Hon. member however stated he had determined to take his own way. He also understood the Hon. member had sought advice from others of his friends who had given him precisely similar counsel, for they agreed with him (Foley) that it was important if possible to preserve Union in their action. The Resolutions to be sure were those of the Convention, a body than which none more respectable or influential had ever met in this or perhaps any other country, but he felt that the final action upon them was committed not to one man, but to the members of Parliament who represented the views of that body. Entertaining these views, he suggested that a meeting of the members of the Opposition should be called before the Resolutions were placed on the paper; and, further, that they might require some modification so as to make them acceptable to Reform members from portions of the Province who had not been present at the Convention. But his suggestions went for nothing, for the Hon. member had resolved to follow his own judgement. He (Foley) confessed he had felt somewhat nettled at this, for if the Hon. member had resolved to take no advice, it was useless to ask it. But he would further say, that if the Hon. member had resolved to take no advice, he should at least have put the Resolutions of the Convention on the paper as they were passed by that body, and not in a mutilated form. If it was so important to obey the Convention, why, when it had passed five Resolutions, did the Hon. member only select two. Perhaps the Hon. member thought as three of the Resolutions were in the negative form it was useless to put them, and that only the two in the affirmative were needed, but he confessed he did not see the force of the argument, for if the Convention reprobated a certain course, it was as important that what it con-

demned should be presented, as what it recommended. The effect of this movement of the Honorable member for Toronto was to excite dissatisfaction among his friends, and, accordingly, on the next day, at a meeting which was held by the Opposition Members he was taken to task for it as being an extremely injudicious one. It was held that the placing of resolutions on the paper was committing the party to a course of policy, and that a matter so important should not be left to one member to initiate, without taking council with all the parties interested. He was reminded that several members of the Opposition had not been present at the Convention, and that it was due to them that they should have the opportunity of expressing their views upon the Resolutions, so that harmony might be preserved. The result of the meeting was, that the Hon. member for Toronto expressed his regret for the course he had adopted, said it was the first time he had acted so, and that it would be the last. This seemed to make things right, and the meeting separated apparently on the best terms, and anticipating no difficulties for the future. He had been charged with communicating to the press of Upper Canada the proceedings of that caucus, but he openly denied, and defied contradiction, that he had at any time, either directly or indirectly, communicated with the press, Reform or Ministerial, of Upper Canada, respecting the transactions of that occasion. He had never written or even suggested a line, and only on one occasion had he written a private letter with respect to the proceedings of his party, and that letter he would not have the slightest hesitation in placing in the hands of the Hon. member for Toronto. The responsibility of giving publicity to those proceedings rested with the correspondent of the *Hastings Chronicle*, in which paper the first article appeared, charging him and his friend from North Oxford, with having forsaken their ranks, because they had taken a course different from that of the Hon. member for Toronto. Nothing was more false than the statement that he (Mr. Foley) had been in communication with the *Hamilton Times* and the *London Free Press* on this subject. But the correctness of the policy he at that time advised was soon apparent. Several members of the Opposition openly declared that under no circumstances would they adopt the policy of the Convention. It was that very point he wished to ascertain before those gentlemen were placed in open hostility to one portion of their party, and rendered them liable to the charge of abandoning their party. In the daily meetings of the members of the Opposition, there had been no want of harmony in consulting over the measures on the notice paper. But the report and accusations of the *Hastings Chronicle* was repeated, and exaggerated by other papers, and the result was a discontinuance of their daily meetings soon after. A few days subsequently they were summoned unexpectedly to discuss the question of the leadership of the party. He had no hesitation then and now expressing his

opinion that the question was superfluous and ought never to have been raised. The resignation of the Hon. member for Toronto was a qualified one, stating that if the Opposition selected some gentleman who would carry out his principles he would then be prepared to place his resignation in their hands. This was felt to be an imputation on members of the Opposition, for they would have taken care to select a leader who would carry out their principles, and the Hon. member for Toronto ought not to have suspected that their principles were not the same as his own. He blamed the Hon. member for Toronto for inviting them to a discussion of the question of a leadership, and for casting reflections on members of his own party. He thought too that he exacted an unreasonable formality of the party in insisting upon a written resolution being passed refusing his resignation, when his written resignation had never been placed in their hands. Then came the question of adopting or rejecting the resolutions of the Convention. He with others, refused to state whether he would or would not vote for the resolution, and forthwith the storm burst out which had resulted in the public difficulties which now unfortunately existed at the present time. From that day to this, the members of the Opposition had never been called together to consult upon any subject. (Hear, hear.) This state of things had been mortifying and annoying to him, and his mortification had been increased by the expressions of exultation and triumph from Hon. gentlemen on the opposite side of the House. The Hon. Attorney General West gloated with delight over the dissension in the Opposition, and boasted of being the leader of the largest party in the House, and therefore entitled to govern the country. But that Hon. gentleman forgot that the differences in the Opposition were not upon any great points of policy, nor upon any of the great questions of the day, but upon a particular question, which though important had hardly yet attained that fixity in the minds of the people of Upper Canada which was desirable. But if the Opposition thus divided still opposed the Ministry by a majority, it was a greater proof of the unpopularity of the Administration. He had no doubt that the result of the election now pending in Middlesex, would prove this unpopularity still further. The Hon. Attorney General might have directed his attention more profitably to differences existing in the ranks of his own party. He denied the charge that had been made against him (Mr. Foley) of having endeavored to seduce from their leader members of the Government. He denied having even been in connection with gentlemen occupying the Treasury Benches for that purpose, and such charges were an injustice alike to him and to all parties implicated. Representing as he did, one of the Reform Constituencies, he could not refrain from expressing himself as he did; and he trusted that in making these explanations, he had not made use of any expressions offensive to any Hon. gentleman on either side of the House. To come to another

part of the subject; he would not go back so far as the times of Fox and Pitt, because he felt that whatever might have been the speculation of these men and of the men of their times, their opinions were of little worth now. They could have little idea of what the future effects of the policy of Great Britain would be on the Province. But he would come to the times immediately preceding the Union. He held in his hand the resolutions of the Legislature of Upper Canada at that time, which he would read to the House. And he solicited the attention of the House—for it was by contrasting the position of Upper Canada then with what she was now that it could be judged whether the Union had worked well or ill. Having read the resolutions, the Hon. gentleman proceeded to say that there was also but little difference between the feelings of the majority of the people of Upper Canada and the feelings of the majority of the people of Lower Canada, at this time. Both professed to hold principles identically the same. They were both eager to seek relief from the tyranny of the minority who ruled in Upper and Lower Canada, they both suffered from the Executive power wielded by the minority; and the majority of the people of Upper Canada holding the same views as the majority of the people from Lower Canada—and suffering the same wrongs, as a last resource, appealed to arms to free themselves from tyranny. The majority of the people from Lower Canada returned representatives to the Legislature, holding the same doctrines, and carrying on the same warfare as the representatives in Upper Canada. The same principles actuated both. They both demanded Liberal Institutions. To understand this it was only necessary to read over the previous ninety-two resolutions, introduced into the Lower Canadian Legislature by Hon. Mr. Morin. The Legislature of Lower Canada was if any thing, even more determined than that of Upper Canada. The only difference between the two sections of the Province was then one of origin. At that time these differences had been raised on the subject of religion. But the most perfect harmony existed between the principles and feelings of the two people. It was but natural in this state of things, that the liberal portion of the majority of the people in Upper Canada should join with the liberal portion of the majority of the people from Lower Canada; and this drawing together of the natural affinities of both sections, it was which led to the formation of the Baldwin and LaFontaine Administration. That difficulties should have arisen at the outset in the working of our Institutions was not to be wondered at; but the result under the Baldwin-LaFontaine Administration was entire harmony. At that time Lower Canada was not intolerant and bigotted as she had become in later days. Then, as the Statute book proved, the people of Lower Canada were willing to give to the people of Upper Canada the entire control of their own local affairs. As one proof of the desire which the people of Lower Canada manifested to allow Upper Canada the freest self-government, he

need only mention the establishment of the Municipal Institutions. The people of Lower Canada bore little love for those Institutions. They were introduced into Upper Canada when there was no such things in Lower Canada. The people of Lower Canada knew little of local self-government; and they were afraid that it would result in a heavy tax upon the people, and although they discountenanced it themselves at the time, yet they were willing to allow it to the people of Upper Canada, since they demanded it. The consequence of this was that Upper Canada possessed the Municipal Institutions which she at present enjoyed. And here he would beg to say that the Finance Minister in his late pamphlet, had rather unfairly taken the credit of the establishing of those Institutions for the Government. It was to the Baldwin and LaFontaine Administration that that credit was due.

Hon. Mr. GALT remarked that it was quite evident that the Hon. gentleman had not read his pamphlet, or else he would not impute what he had to it.

Hon. Mr. FOLEY had read it.

Hon. Mr. GALT—Then it must have been long ago.

Hon. Mr. FOLEY said, he would now pass on to the next part of the argument by way of illustrating, which he would refer to the action taken by the majority of the people of Lower Canada, to remove what was considered the sectional character of King's College. The people of Upper Canada did not find any disposition of intolerance, or any opposition to the carrying out of their feelings as they wished. On the contrary, Lower Canada was ready to remove the sectarian character of King's College. The same feeling was observed with regard to the secularization of the Clergy Reserves. Although the people of Lower Canada were strongly opposed to secularization of Church Property, yet they were willing to act as the people of Upper Canada wished, and to carry out their just expectation. So that it was unjust to say that the people of Lower Canada were always disposed to carry on the Government against the feelings of the people of Upper Canada. Since then, however, a great change had taken place. Not only had Lower Canada departed from the policy pursued by the Baldwin and Lafontaine Administration, and declared that they would not go with Upper Canada to carry out its principles, but they went further, and declared that a minority sitting in defiance of the majority of the people should rule Upper Canada. They stated that, whatever the principle and no matter what the feelings of the people of Upper Canada might be, they should not be conceded unless they agreed with the whims of the men in power. Not only was the Legislation of Upper Canada not carried on in accordance with the wishes of the people, but it was also conducted by a minority, supported by Lower Canada. In acting thus towards Upper Canada, Lower Canada had driven the people to that position that they would bear with them no longer, and a change in the Constitution was demanded. It would

be superfluous in him to dwell on this point, but he would say in a few general terms that, to such a pitch had the feelings of the people of Upper Canada been roused, that no man pretending to represent them, could refrain from asserting that some change should be made to relieve Upper Canada from the position which she at present occupied. It was not to be borne that all the officers, even of the most ordinary kind, were to be at the disposal of such a Government as the present. The Justices of the Peace, and the Registrars and Sheriffships, and in fact all the County Officers, were disposed of by a Government representing the minority of the people of Upper Canada, sustained by a few from Lower Canada. He would ask the people from Lower Canada, would they submit to such a state of things? If they were placed in the position of the people of Upper Canada, would they submit to be treated in that manner? He thought not. He would ask Hon. gentlemen from Lower Canada, how they would relish the appointment in every county, and in every town in their section of the Province, of individuals not possessing the confidence of the people? He would ask Hon. gentlemen to place themselves in the position in which Hon. gentlemen from Upper Canada were placed, who, feeling that they fairly represented the well understood wishes and feelings of the people in that section of the Province, and were a majority in that House, and say what their feelings would be to see laws enacted and appointments made to offices of trust and emolument, not only without their consent, but against their will and desire? In his humble judgment matters had reached that stand-point, when the people of Upper Canada would no longer be satisfied with the existing state of things. Hence he, in common with other Honorable gentlemen, had come to the conclusion, that some change must take place which would furnish some guarantee against the recurrence of such things as they had witnessed during the last few years. What, then, it would be asked, did he conceive to be the available remedy for the evils under which the country suffered? He had shown that the difficulties which existed in Upper Canada previous to the Union were those under which the people of Lower Canada were suffering. He had gone on to establish the fact that there having been a community of suffering, there had been a community of sentiment and feeling established as to the remedies which were then applicable to their peculiar condition. He had proceeded to show that during the first years of the existence of responsible government, the feelings of the people of Upper and Lower Canada were in entire unison, that not only was ready deference paid by the one to the local legislation of the other, but that every assistance was given by the people of Upper Canada to the carrying out of the views of the people of Lower Canada, as far as their local government was concerned; and that the feeling was reciprocated by the people of Lower Canada to the people of Upper Canada. This unison had ex-

isted up to 1854, as appeared plainly from the legislation of the period. [The Hon. gentleman here defended the Hincks-Rolph administration from certain insinuations or charges of the Hon. member for Montreal, Hon. Mr. Dorion.] The Hon. member for Toronto had quoted the opinions of the Duke of Wellington, Sir Robert Peel and Chief Justice Robinson; but he forgot to say that they were not so much opposed to the Union as to granting the people the control of their own local affairs. The argument drawn from these opinions could be made to tell as strongly against the Resolutions as he wished it to do in their favor.

Hon. Mr. BROWN said he had quoted these opinions merely to show that while he and his friends were accused of disloyalty, these high Conservative authorities gave utterance to precisely similar views.

Hon. Mr. FOLEY had thought the Hon. member intended to show that the Union was impolitic, and that the evils of which he complained showed that the Union never should have been enacted. And in so quoting he should have said they did not so much object to the Union as to the proposition involved, that the people should have the control of their own affairs. The opposition of these distinguished gentlemen was unworthy of consideration, since their object was to take or keep from the people the power to which they were entitled, and to prevent the popular will from having effect. The views, however, of these gentlemen underwent a good deal of change, and he was sure their survivors would be the last to stretch out their hands to destroy our Constitution. As to the Union having been productive of evils, he thought he could satisfy the Hon. member from authorities he would not object to, that the contrary was exactly the case. [The Hon. member then called attention to the resolutions of the Legislative Council of Upper Canada on the condition of that section of the country at the time of the Union, in which a very dark and dismal picture was drawn. Next, to the condition of things ten years afterwards, as stated in the Census of 1851.] During those ten years the increase of population in the United States was 35 per cent., while in Canada it was 104 per cent., and he thought it was too much to say that a state of things which produced such results was one of unmingled evil. To say so was to say that an increase of prosperity unparalleled in the history of the world had been fatally injurious and should be abolished! Under the Union the wilds of the West had been peopled by a happy and thriving population, and this certainly was no sign of ruin. The Hon. member proceeded to read also from the Census copious extracts, instituting comparisons between the progress in wealth of the most favored States, Ohio in particular, with Canada, the difference being in favor of the Province, and the progress in morals, knowledge and intellectual culture was no less remarkable, as evidenced in the extension of our educational institutions. If these things were so, it appeared to him that a movement which had for its

object the severance of the Union would be injurious and disastrous to both Upper and Lower Canada. Then, before proceeding to destroy the Union, it would be worth while considering the difficulties in the way, even if it were deemed desirable to do so. It would be idle to attempt to delude the people of Upper Canada into the belief that a dissolution could be easily accomplished, when in fact it was impracticable. He objected to giving the weight of his opinion to such an idea among his constituents, because he felt that any pledge of that kind could not be redeemed. And he felt this the more, because he knew that a considerable number of people in the West had become desirous that there should be a dissolution. The ground he now took he had taken at the Convention, and had expressed his conviction that the prospect of a Dissolution of the Union was delusive, and could not be realized. People were disposed to look at the difficulties in the way of agreement, but he questioned whether they looked at the advantages which the Union had produced. No dissolution could be brought about till there was a large majority in both sections of the Province in favor of it. But there was not even a majority for it in Upper Canada, for at the West of Toronto, where the desire was the greatest, it was not by any means unanimous. Then East of Cobourg the reverse was precisely the case, the majority being against it; and then all Lower Canada was opposed. Under such circumstances, how could the project be carried out? But even supposing that the assent of both sections of the Province were secured, the concurrence of the Home authorities would be required, and how long it would be before the Imperial Parliament was brought to act it was difficult to say. Then the public creditors would have to be consulted, and how their consent could be obtained it was difficult to see. Again there were questions connected with the public domain—property common to both sections—and a thousand other questions of which no conception could be formed before they arose, and a thousand interests to be reconciled, which would immediately claim attention. Hon. gentlemen who had more hope than he had, might fancy the matter an easy one, but he feared that, however, anxiously they might desire it, it would be to all intents and purposes impossible. Such a proposition as the Dissolution of the Union would inevitably ruin the Opposition party if made the test question; it would drive Hon. members from the central section of Upper Canada into the ranks of a party opposed to that with which they had all their lives been connected. Its effect would be to destroy the efficiency of the party, and drive men who had been the standard bearers of the Reform cause in old times, into the hands of their common political foe. He was not disposed to take a share in the responsibilities of such a course. (Hear, hear.) It was because he had taken this ground, that he had been threatened with the displeasure of his party, and with the penalties attached to a disregard of

their will. His constituency was one of the oldest, and had been one of the most faithful to the Reform party in adversity as well as prosperity, and under no circumstances whatever, could he be induced to act in disobedience to the well understood wishes of his constituents. He was told he would incur their displeasure if he expressed an opinion or cast a vote unfavorable to the principle of the Dissolution of the Union, but he regarded their threats no more than the idle wind, for none better understood the feelings of his constituents than he, and they had not by petition or otherwise expressed their disapprobation of his course. He knew his constituency to be strongly opposed to the Hon. gentlemen opposite, and their violation of the principles of responsible government, and he represented their feelings truly when he acted in opposition to that government. With regard to the resolutions in the hands of the Speaker, he admitted that the object of the Union had failed, but he believed that object to have been the subjugation of the people of Lower Canada, as well as the majority of the people of Upper Canada, to influences not fairly derivable from the express wishes of the people. In the records of the time he found, that the number of members was intended to be, for Lower Canada, fifty; and for Upper Canada, sixty-five. But it was moved in amendment that there should be an equality, and Lower Canada having the larger population, a large majority of the Reformers of that day insisted on her claim to representation by population, on the same principle on which it was now claimed for Upper Canada. He therefore heartily concurred in that part of the resolution which declared that the result of the Union had not been productive of that good expected of it by the real friends of the country and the supporters of responsible government. He might desire to alter somewhat the phraseology of that part of the resolution which set forth that the Union had resulted in a heavy debt and burthensome taxation, but he had no hesitation in subscribing to the entire truthfulness of the spirit of the resolution, and in declaring that under the present form the Union could not be continued. In regard to the remedies proposed, he had always declared himself in favor of the principle of the Double Majority, and had invariably voted for resolutions in favor of that principle, whenever proposed by Hon. gentlemen on either side of the House. But the highest authority in the land declared the Double Majority to be unconstitutional. He had come to the conclusion that it should not receive his special advocacy. That principle then, being ignored, and Upper Canada having been refused a fair share in the representation of the country, and the management of her own affairs it became necessary to look elsewhere for a remedy. Under these circumstances the Convention was held, for the purpose of securing to the people of Upper Canada their rights in the management of their own affairs, to which they were fully entitled, and to which under any circumstances they would eventually attain. (Hear, hear.) The

question had been forced upon his side of the House, and would be forced upon the other, as to what it was best to do, for the people of Upper Canada would not for ever consent to be ruled against their wishes. Laws had been forced upon them which they did not approve; and laws they desired to see enacted had been refused them. To what then were they to have recourse? Hon. gentlemen on the opposite side could not insist on the soundness of the principle, that Upper Canada should remain for ever under this subjection. It was true that they shrank from the initiation of a violent agitation on the subject, which must result in a state of hostility between the two sections of the country, but such a state of things could not long be quietly endured, and there was the most urgent necessity for an efficacious remedy. His belief was, however, that a dissolution of the Union would be one of the greatest evils that could befall the people of both Upper and Lower Canada. (Ministerial Cheers.) Yet he could not deny that some such change might be necessary as a final resort, if the present system of domination were persisted in. If there were doubts whether the Hon. gentlemen opposite did represent the people of Upper Canada, let the doubts be solved by the application of the Constitutional test. Let them go before the people with all their official influence, and the country would abide by the decision. He believed that in the forming of the Coalition they had possessed the confidence of the people, but with all the control in their hands, they had failed to maintain it, and the legislation of this Session had placed them in a worse position than before. It had been expected that the law of debtor and creditor would receive their attention, but this and many other Bills had been either neglected or condemned. In view therefore, of all these facts, it became absolutely necessary in order to restore the equilibrium, that some change should be effected, and as this change should form the subject of calm and dispassionate discussion, he could not do otherwise than cast his vote in favor of the resolution. (Hear, hear.)

Hon. MALCOLM CAMERON said that the Hon. gentleman who had just sat down had appealed to him regarding the leadership of the Opposition, and he felt bound to substantiate what he had stated regarding that incident. He could not understand, however, why Mr. Foley should have dwelt so long on the danger which would flow from a dissolution of the Union, when no such thing had been proposed. He (Mr. Cameron) had felt that in attending the Conference at Toronto he was undertaking a serious duty; but it was necessitated by the action of the Ministry. He did not think that it was possible to have abused Responsible Government so much as the present Government had done. And things had arrived at such a pitch that he conscientiously believed that the Union could not be worked any longer as it was at present worked, and that Constitutional changes must be resorted to. The time was when there were proceedings different from the

action of the present Government, who did not hesitate to take millions of money from the Upper Province at the time that they had not the confidence of the people of that section of the Province. The people have all along seen the gross inconsistency of the Government—one day advocating a measure, the next abandoning it. The Hon. gentleman alluded to the falsehoods that had been raked up in the House the other day regarding Lord Elgin. He said that few men so little needed to be defended from the name—coward, applied to that nobleman. The Hon. member from Hastings, who had made the attack in question, had certainly made a most extraordinary speech on that occasion. It was long and loud; but contained no point or argument. That gentleman failed to meet a single argument advanced, or to show that the complaints from Upper Canada were not real. It was true that many of the complaints from Upper Canada seem to be small matters—such as registration offices, arbitrators in connection with the Public Works, the jury law; but it was because those matters were small that Upper Canada felt annoyed that she should be overruled even in those petty matters. But it was all the same. Small or large, Upper Canada got nothing, except it suited Lower Canada in the whim of the moment to grant it. The people of Upper Canada, it was well known, had borne as long as they could, while hope lasted. But all hope for reform or redress was taken away. It was only the other day that it was stated that there was no use in Upper Canada looking forward to Representation by Population, for that Lower Canada would never grant it. Yet it was only a short time ago that the present Government stated that there was a necessity for Constitutional changes. They could not deny these things. And contrasted with their present course, it was not a course which would add to the honor or good of the country. The time would come when the gentlemen from Lower Canada would see the folly of their present conduct, and would as strongly advocate Constitutional Changes as Upper Canada did at present. It might happen that Upper Canada would get the upper hand; and then, if she desired to retaliate, she would have it in her power. He complained that the parties who had sought in an open and avowed manner, to bring about a separation of this Province from the mother country, were the most ready at this time to charge upon others designs of a similar kind, and he was quite sure that the policy recently pursued in relation to the Tariff and the establishment of a Free Port at Sault St. Marie, would have the effect of inducing a renewed desire for annexation. He and his friends had stood between the people and the Government, and had in fact adopted their bantling of Federation for the sake of staving off the desire which, by seven-tenths of the farming population West of Toronto, was felt for a Dissolution pure and

simple. He agreed with the junior member for Montreal, that little was due to the Union in Upper Canada, and yet less in Lower Canada, for it was forced upon them altogether against their will. The Press of Lower Canada for five or six years after the Union, were constantly opposed to it, and he was sure that were it not for the consequences which would result to the Ministry, they would still express the same feelings and opinions.

Mr. McDOUGALL had hoped to hear opinions of some members from the other side of the House before he was called upon to speak, but only one member—the member for Hastings—had done so, and from the very extraordinary way in which that Hon. member had treated the subject, he hardly thought he spoke the opinions of the ministry. He would now refer to some remarks of the Hon. member for North Waterloo when he had said that he had hoped the Convention would be composed of delegates from both Upper and Lower Canada.

Mr. FOLEY stated he had not said this, but that the Convention would deal with the subjects before it in a way that would be acceptable to Lower as well as to Upper Canada.

Mr. McDOUGALL—Well, be that as it may, the Convention had representatives from all parts of Upper Canada with the exception of five or six constituencies in the neighborhood of Ottawa, and the Hon. member should have known from the public papers that the Convention was called for Upper Canada alone. In respect of the subject of dissolution pure and simple, the large majority decided that the interests which had grown up in the United Province, put it entirely out of the question that it should be accepted. The Hon. member had complained of misrepresentation in certain newspapers in Canada West, but he thought that he could show to the House that that Hon. member had himself contributed his views to a paper in his own interest—the *Erie News*.

Hon. Mr. FOLEY absolutely denied having done so.

Mr. McDOUGALL—Well, when that Hon. member accused others, he must expect that when appearances are against him they will be noted. He had taken notes of several points in the Hon. member's speech, but he would not now take them up, especially as in the end the Hon. member had stated he would vote for the Resolutions.

Hon. Mr. FOLEY—For the first.

Mr. McDOUGALL—Well, perhaps an amendment to the second, would meet his views, and those of the House. He considered the time had come for considering the grave difficulties which existed in working the Union. Year by year, we were borrowing money to pay our current expenditure, and year by year there was an increase of the cost of Government, and if there

(To be Continued.)

T H O M P S O N ' S

M I R R O R O F P A R L I A M E N T ,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, May 7, 1860.

CONSTITUTIONAL CHANGES.

(Continued from our last No.)

were no political reasons, these alone should be sufficient to make every patriotic man pause, or before long it would be impossible to escape ruin. Then as to the legislation of several Sessions past, and of the present Session, it was clear a majority of the whole House was sufficient for all purposes. It was then a question to consider whether the high spirited people of Upper Canada would longer submit to such a state of things. The Resolutions were intended to meet the difficulties, and that without the slightest injustice to Lower Canada. Then the "joint authority," the cause of some weak jokes, was the best scheme that could be devised. It was no new scheme, for in the earliest discussions in the House of Commons, on the Canada Bill, this very scheme was mooted for dealing with matters which were common to both Provinces. (Here the Hon. member gave the opinion of Lord Grey.) Then when the law for uniting the Provinces, was proposed by Lord John Russell, that principle was recognized. The country was to be divided into five districts, and these Councils were to have their powers secured to them, and they could not be interfered with by the General Legislature; but this had not been carried out, for we now found constant applications for modifications in the powers of the Municipal Councils. The question was, should a remedy for the present difficulties be devised, or should the present system be continued? He thought they could go no further at present than to affirm the necessity for a change, and place their opinions in the form of resolutions before the country for mature consideration. As much had already been done as could have been expected towards effecting a change, which under the circumstances could not be a rapid change. When after thorough deliberation we had decided on our plans, he believed

the Imperial Government would readily accede to our reasonable demand for what we considered necessary to our mutual welfare. He complained that the Government uniformly treated this momentous question with indifference, but such a course, if persisted in, would be fraught with consequences the most dangerous to the country.

The House then adjourned at 5 minutes to 2 o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Tuesday, May 8, 1860.

Hon. Mr. SPEAKER took the Chair at three o'clock.

ASSESSMENT.

Hon. Mr. VANKOUGHNET introduced a Bill to extend to Cities certain provisions of the Assessment Act.

The Bill was read a first time, and ordered to be read a second time to-morrow.

THIRD READINGS.

BILL—Property Partition under Foreign Marriages, Lower Canada—Hon. Mr. *Panet*.

BILL—Relating to the Sale of Land for Taxes in the United Counties of Peterborough and Victoria.

SECOND READINGS.

The following Bills from the Legislative Assembly were read a second time, and referred to Special Committees:

BILL—Notre Dame du Portage and Temiscouta annexation.—Hon. Sir *E. P. Taché*.

BILL—St. Lawrence Inland Marine Assurance.—Hon. Mr. *Morris*.

BILL—St. Lawrence North Shore Navigation Company.—Hon. Mr. *Ferrier*.

BILL—Terrebonne and L'Assomption Navigation Company.—Hon. Mr. *Masson*.

BILL—Ottawa Board of Lumber Manufacturers.—Hon. Mr. *Crawford*.

BILL—Agricultural Loan Association.—Hon. Mr. *Boulton*.

BILL—Windsor Improvement.—Hon. Colonel Prince.

BILL—Gore Bank Charter.—Hon. Mr. Ferguson.

BILL—Sorel Incorporation.—Hon. Mr. Armstrong.

BILL—Hamilton Water Works.—Hon. Harmaunus Smith.

BILL—Montreal and Champlain Railroad.—Hon. Mr. Ferrier.

BILL—Carrillon and Grenville Railway.—Hon. Mr. Ferrier.

BILL—Merrickville Incorporation.—Hon. Mr. Crawford.

BILL—Richelieu District Hospital.—Hon. Mr. Armstrong.

BILL—Montreal Mining Company Amendment.—Hon. Mr. Ferrier.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, May 8, 1860.

MR. SPEAKER took the Chair at 11 o'clock, A. M.

FEUDAL TENURE.

On motion of Hon. Atty. General CARTIER, the House went into Committee on certain resolutions for the final abolition of the Feudal Tenure.

The Committee rose and reported the same, without any amendments.

CONSOLIDATED STATUTES.

On motion of Hon. Atty. Gen. MACDONALD, the House went into Committee of the Whole on the Bill respecting the 96th chapter of the Consolidated Statutes of Upper Canada.

The Committee rose, and reported the same, with several amendments.

BILLS PASSED THROUGH COMMITTEE.

BILL respecting the management of the Indian Lands and Property (from Legislative Council).—Hon. J. A. Macdonald.

BILL respecting the Line of Division between Upper and Lower Canada (from Legislative Council).—Hon. Mr. Cartier.

BILL concerning the Inspection of Flour.—Hon. Mr. Rose.

BILL respecting Trade Marks.—Hon. Mr. Rose.

BILL respecting Customs Duties.—Hon. Mr. Gall.

BILL to incorporate the Village of Terrebonne as a Town.—Hon. Mr. Morin.

BILLS READ A THIRD TIME.

BILL to incorporate the Village of Terrebonne as a Town.—Hon. Mr. Morin.

BILL concerning the Inspection of Flour.—Hon. Mr. Ross.

BILL respecting the Customs Duties.—Hon. Mr. Gall.

BILL respecting Trade Marks.—Hon. Mr. Rose.

BILL respecting the 96th chapter of the Consolidated Statutes of Upper Canada.—Hon. J. A. Macdonald.

CONSTITUTIONAL RELATIONS.

The order being read for resuming the debate on Hon. Mr. Brown's resolutions on the relations of Upper and Lower Canada, and Mr. Benjamin's motion for the previous question,

Mr. SPEAKER put the motion of Mr. Benjamin, which was unanimously carried.

The motion of the Hon. Mr. BROWN was then put, and the House divided: Yeas 27, Nays 66.

YEAS:—Messrs. Aikins, Biggar, Brown, Malcolm Cameron, Clark, Connor, Dorland, Drummond, Fergusson, Finlayson, Foley, Gould, Harcourt, Holmes, Howland, McDougall, McKellar, Merritt, Mowat, Notman, Papineau, Rymall, William Scott, Short, White, Wilson, and Wright.—27.

NAYS:—Messrs. Abbott, Archambault, Beau-bien, Bell, Bourassa, Buchanan, Bureau, Burton, John Cameron, Campbell, Carling, Caron, Cayley, Attorney General Cartier, Chapais, Cimon, Coutlée, Dawson, Desaulniers, Dionne, Dunkin, Foster, Feurnier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hébert, Labelle, Laframboise, Langevin, Laporte, La Boutillier, Lemieux, Loranger, Loux, Attorney General Macdonald, MacLeod, McCann, A. P. McDonald, McMicken, Meagher, Solicitor General Morin, Morrison, Panet, Patrick, Piché, Playfair, William F. Powell, Price, Roblin, Rose, Dunbar Ross, Sherwood, Sicotte, Simard, Simpson, Sincennes, Somerville, Tett, Thibaudeau, Turcotte, Wall-bridge, and Webb.—66.

Hon. Mr. BROWN then moved his second resolution:—"That in the opinion of this Assembly, the best practical remedy for the evils now encountered in the Government of Canada, is to be found in the formation of two or more local Governments, to which shall be committed the control of all matters of a local or sectional character, and some joint authority charged with such matters as are necessarily common to both sections of the Province."

Mr. POWELL moved the previous question.

Mr. FERGUSON accused the Hon. member for Carlton of unfairly limiting the discussion of the resolution, by moving the previous question, as it would be impossible to offer any amendments. He had not intended to vote for the first resolution, but after the previous question had been put, he felt that he could not vote against it, for he had no doubt of the dissatisfaction existing amongst the people of Upper Canada, and the general desire for a remedy of some kind. The principle of Representation by Population he should always advocate as no more than simple justice. He was opposed, however, to a dissolution of the Union, and he believed a large majority of the population of Upper Canada would agree with him, that it was a most impracticable scheme.

Mr. BUCHANAN adverted to the relations between the Province and the Mother Country, and said that in his opinion, the public men of England were a curse to this country; and that if their policy was pursued it would drive Upper Canada at all events to annexation. Such an

event he believed would have taken place before now, were it not for the Reciprocity Laws coming to the aid of the farming interests. He contended that the British Government in the matter of trade did not act for the good of the Province. In speaking of England he begged to draw a distinction between England the Country and England the Empire. He considered that the sooner Canada told England that she had not a man whom Canada feared, the better. With regard to the remarks of Hon. gentlemen that the taxation of this country was burthensome, he would differ from them. There was scarcely a country in the world freer from taxation than this Province. England had six times the amount of taxation that was imposed in Canada. The United States were taxed far more heavily than Canada was. So that much importance was not to be attached to the statements regarding the taxation of Canada. Much had also been said regarding Representation by Population. He did not think that Lower Canada would grant it; and the only way it could be obtained would be by a Dissolution of the Union. And he felt sure that the people of Upper Canada would not demand Representation by Population saddled with such a condition. Separate Schools was another false cry; even the member for Toronto would not say that the Bible was to be put out of the Schools. He would rather see instead of all these things another home market established. That would do the country more good. The question of labor was the real question.

Mr. GOWAN understood the last speaker to advocate annexation to the United States.

Mr. BUCHANAN repudiated any such intention. He would be sorry to see such an event happen.

Mr. GOWAN was satisfied. He wished to have it understood that he was not hostile to the people of Lower Canada, in the course he thought fit to pursue on the present occasion. He had seen much to admire in Lower Canada. He believed the people of Lower Canada were moral and well conducted, and he desired to possess their respect. But at the same time he did not believe that Upper Canada was satisfied with the Union as it at present existed—and he knew nothing of the feeling of the people of Upper Canada if they were satisfied until they were accorded the principle of representation according to population. That would in future be the test question. With regard to the remedy proposed in the resolutions, he would not vote for it, as he did not think it the true one. He was sorry that the senior member for Toronto had abandoned Representation by Population—but as he had, he would vote against the Resolutions.

The previous question was then put and carried in the affirmative.

The resolution was then put and lost on a division. Yeas, 32; Nays, 74.

YEAS:—Messrs. Aikins, Biggar, Brown, Burwell, Malcolm Cameron, Clark, Connor, Dorion, Dorland, Drummond, Finlayson, Foley, Gould, Harcourt, Howland, McDougall, McGee, McKel-

lar, Merritt, Mowat, Munro, Notman, Papineau, Walker Powell, James Ross, Rymal, William Scott, Short, Stirtion, White, Wilson and Wright.—32.

NAYS:—Messrs. Abbott, Alleyn, Baby, Beau-bien, Bell, Benjamin, Bourassa, Buchanan, Bureau, Burton, John Cameron, Campbell, Carling, Caron, Cayley, Attorney General Cartier, Chapaïs, Cimon, Coulter, Daly, Daoust, Dawson, Desaulniers, Dionne, Dunkin, Ferguson, Ferres, Foster, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Héber, Holmes, Labelle, Lafromboise, Langevin, Laporte, Le Boutillier, Lemieux, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, A. P. Macdonald, Meagher, Solicitor General Morin, Panet, Patrick, Piché, Playfair, Pope, William F. Powell, Price, Robinson, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Somerville, Tassé Tett, Thi-baudéan, Turcotte, Walbridge, Webb.—74.

ADMINISTRATION OF JUSTICE IN LOWER CANADA.

Hon. Mr. CARTIER moved the third reading of his Bill, concerning the Administration of Justice in Lower Canada.

Mr. SOMERVILLE moved in amendment, "That in all cases where any suit or action against any person residing within the jurisdiction of any Commissioner's Court for the trial of small causes, or for any cause or matter cognizable before such Courts, is brought before any circuit court, or before the supreme court, the plaintiff shall not be entitled to recover any greater amount of costs than if such suit or action had been brought before any of the said Commissioners' Courts."

This was lost on a division.

Hon. Mr. DORION moved in amendment the insertion of a clause to abolish the right of appeal from the decision of the Court of Queen's Bench to Her Majesty's Privy Council, except in cases affecting the rights of the Crown, or those on which judgment might have been pronounced before the passage of this Bill.

This was lost on a division.

Hon. Mr. DORION moved an amendment repealing the law for subsidising the editing of the law reports of Lower Canada, which he said could be furnished at less cost, and in a superior manner, by subscription of members of the Bar, as in Upper Canada. This was lost. Yeas, 39; Nays, 51.

Mr. McDOUGALL moved that the Bill be referred back to the Committee, with instructions to provide that the law reports of Lower Canada, hitherto published at the expense of the Government, shall be hereafter paid from local sources, as in Upper Canada.

This was lost by 51 to 26.

After several amendments, by Hon. Mr. CARTIER, and Messrs. PICHE, LORANGER, HARWOOD and LABERGE, the Bill then passed. The House then adjourned at 1:45.

LEGISLATIVE COUNCIL.

QUEBEC, May 9, 1860.

Hon. Mr. SPEAKER took the chair at 3 o'clock.

BILLS READ A THIRD TIME.

The following Bills were read a third time:—

BILL to Incorporate the Village of Merrickville.

BILL to Incorporate the Ottawa Board of Lumber Manufacturers.

BILL to Amend and Consolidate the Act relating to the Charter of the Gore Bank.

BILL to Incorporate the Town of Sorel.

BILL to amend the Act Incorporating the Montreal and Champlain Railroad Company.

BILL to Incorporate certain persons under the name of the Terrebonne and L'Assumption Navigation Company.

BILL to Incorporate the Chambly Navigation Company.

BILL to amend the Act for the erection of Water Works in the City of Hamilton.

BILL to revive and extend the Charter of the St. Lawrence Inland Marine Assurance Company.

BILL to annex the Local Municipality of *Notre Dame du Portage* to the Municipality of the County of *Temiscouata*.

BILL to Incorporate the General Hospital of the District of Richelieu.

BILL to Incorporate the St. Lawrence and North Shore Navigation Company.

BILL relating to the Sale of Land for Taxes in the United Counties of Peterboro' and Victoria.

BILL—Sherbrooke Cotton Manufacturing Company, as amended.

BILL to Incorporate the St. Bridget's Asylum of Quebec, as amended.

TO DIVIDE THE TOWN OF INGERSOLL.

Hon. Col. PRINCE moved the second reading of the Bill to Incorporate the Town of Ingersoll, and divide the same into two wards.

Hon. Mr. VANKOUGHNET opposed the Bill, on the ground that there was a general Act under which all Towns in Upper Canada could be Incorporated, and there existed no reason why this special application should be received. If the general Act—the Municipal Act of Upper Canada—was faulty, and did not meet all the cases it ought, then it should be repealed. But it was a farce to make a general law one year, and over-ride it next year, in the manner proposed by the gallant Colonel. With regard to this special case, he understood that a petition from the Council of Ingersoll was on the way to the House, and this was also another reason why he would oppose the second reading.

Hon. Col. PRINCE contended that the Act alluded to—the Municipal Act—was not declaratory, but only framed to facilitate such villages as liked, and had the requisite number of inhabitants to incorporate themselves. There was nothing in the Act which stated that the Villages should be Incorporated in no other

way but that laid down in it. It was also worthy of notice that while there were no petitions against the Bill, there was an influential one in favor of it. He would also remark that the Bill had undergone a searching examination in the Legislative Assembly.

After a slight discussion, the second reading was lost on a division.

Hon. Mr. VANKOUGHNET said, he would be happy to assist his Hon. friend in changing the present law, if it was thought faulty.

FIRST READINGS.

The following Bills were introduced from the Legislative Assembly, and read a first time:—

BILL respecting certain duties of Customs.

BILL respecting Trade Marks.

BILL concerning the Inspection of Flour and Meal.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, May 9, 1860.

Mr. SPEAKER took the chair at 11 o'clock, A. M.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL (from Legislative Council) respecting the sale of land for taxes in the United Counties of Peterboro and Victoria—Mr. *John Cameron*.

BILL (from Legislative Council) relating to the partition of property acquired by persons married in foreign countries—Mr. *Panet*.

BILL (from Legislative Council) respecting the challenging of juries in certain cases—Hon. Mr. *Mowat*.

BILL (from Legislative Council) to repeal certain provisions of the law of Replevin—Hon. Mr. *Mowat*.

BILL relating to the issue of shop and tavern licenses.—Mr. *Mattice*.

SUPPLEMENTARY ESTIMATES.

A message was received from His Excellency the Governor General, transmitting a copy of the Supplementary Estimates for the Department of Public Works, for the year 1860, which on motion of Hon. Mr. Galt, was referred to the Committee of Supply.

DIVISION LINE.

On motion of Hon. Mr. CARTIER, the Bill (from Legislative Council) respecting the line of division between Upper and Lower Canada, was read a third time. On motion for its final passage,

Hon. Mr. SICOTTE moved that the Bill be amended by providing "that appeal from the decision of the Commissioners' Court shall be granted, to any party who shall be affected by such decision, to Superior Courts of Law in Upper and Lower Canada.

After some discussion the House divided on the amendment—Yeas, 42; Nays, 52.

The Bill was then passed.

REGISTRY OFFICES AND PRIVILEGES, AND
HYPOTHECS IN LOWER CANADA.

Hon. Mr. CARTIER moved for the second reading of this Bill, and explained it at some length, very much as he had done when he introduced the measure.

Hon. Mr. LORANGER differed altogether from the Hon. mover, on the very principle of the Bill, and maintained that a decree made upon the possessor of an immovable property effectually purged such immovable from hypothecs, while the decree *non possidente* and *non domino* did not do so, and on this score he would oppose the Bill. As to the making of *cadastres* at great labor and expense, he would not say much, for non-professional members were just as able to deal with that part of the subject as himself, and just as sensitive to the imposition of new and heavy burdens as he could be. (Hon. Mr. Loranger then proceeded to criticize the Bill in its details, and to show what he conceived would be its operation in regard of sales of property under various contingencies which he suggested as likely to occur.)

Hon. Mr. SCOTTE thought that the member for Laprairie had somewhat exaggerated the objections to the Bill, but although he did not agree with him in the allegation, that the Attorney General intended to substitute an English for a French principle of law, in relation to the registration and mutations of property; he yet thought that the measure itself, justified to some extent, at least, a supposition that such was his purpose. On the whole, he thought the Bill was too great an innovation upon the usages of Lower Canada, and that it would occasion much cost, and after all not work well. Still, he would not vote against the Bill, being desirous of allowing the experiment to be made.

Hon. Mr. CARTIER wished to have a fuller debate, for he thought it was a very difficult question, and he would like to hear all that could be advanced on the subject. As to the objections of the member for Laprairie, he would only say, he was fully prepared to meet them.

The Bill was then read a second time.

COMMITTEE OF SUPPLY.

On the Order for going into Committee of Supply being called,

Mr. PICHE moved in amendment, seconded by Mr. DUNBAR ROSS—That an humble Address be presented to His Excellency; praying that he will cause the erection of Parliament Buildings at Ottawa to be suspended until the people of this Province have had the opportunity, at a general election, of pronouncing upon the expediency of making constitutional changes, by means of a Federation of the Provinces of British North America, as suggested by the present administration to the Imperial Authorities, as the only remedy for the difficulties existing between Upper and Lower Canada, or on the expediency of any other change in the Constitution.

In moving this amendment Mr. PICHE said, he was fully justified in his course by the decla-

rations of the Ministers themselves, who regarded a Federation of the several Provinces as a matter of ultimate certainty, and under such circumstances it could not be thought improper for us to pause, ere we proceeded to the construction of expensive buildings, which after all might not be required. Nor could the Imperial Authorities regard the stoppage of these works, as exhibiting a want of respect to the Queen's decision, which had been rendered before any serious thought had been given to the great changes now contemplated. He did not even say that Ottawa would not be a suitable place for the General Seat of Government, but that in view of the Confederation spoken of, it was, to say the least of it, prudent to re-consider the question.

Mr. MCGEE said, it was evident that a majority of the people of Canada felt the necessity for Constitutional Changes of some kind, and until something was decided, he thought it was much to be regretted that the buildings had been proceeded with. Should there be a federation of all the Provinces, either Quebec or Montreal must unquestionably be the Capital. But under any circumstances it was very objectionable that the Legislature of the Country should assemble in a rural village, to which they would have to find their way through a wild and thinly settled portion of the Province. Even in Quebec the press took but little interest in the proceedings of Parliament, but in a village like Ottawa, there would be a still greater want of that sanitary influence of public opinion on the deliberations of the Legislature, which was at all times most important and desirable.

Hon. Mr. BROWN enquired what progress had thus far been made in the erection of the buildings, and what had been the expenditure.

Hon. Mr. CARTIER said that both the Parliament and Departmental buildings had been commenced, and the work was being pushed forward as rapidly as possible, but he was not aware what had been the expenditure up to the present time.

Mr. DUNBAR ROSS reviewed the previous debates on the question of the Seat of Government, and forcibly expressed his objections to Ottawa.

Mr. THIBAUDEAU proceeded very much in the same course, contending stoutly that Quebec was the place entitled to the Seat of Government, and he would sacrifice ten Governments rather than set aside her rights, but failing Quebec he would go for Montreal. With these views he would cheerfully vote for the motion.

Mr. BUREAU said the Seat of Government had been lost to Quebec by the fault of its own members, and he had no doubt that the people of Upper Canada almost as one man would vote against the motion, so there was no hope.

Dr. DORLAND had opposed Ottawa on all former occasions, but now that the Queen's decision had been given in favor of that City, he was not prepared to help in upsetting it, so for once he would support the Government. (Hear, hear.)

Hon. Mr. BROWN said, the motion before the House involved two questions. The first was with regard to the Seat of Government, and the second with regard to stopping at once the erection of the Public Buildings at Ottawa. He had opposed the selection of Ottawa from first to last, thinking there were other places much more convenient for the purpose. But they had exhausted their opposition to that selection, and the responsibility of the Act lay with the Government; and as that step had been taken, and money already expended, and contracts given out, he did not at all feel disposed to interfere with the erection of the buildings. (Hear, hear.) He spoke his own sentiments and those of a large portion of his friends in the Opposition, when he said they accepted the determination arrived at by the Government, that Ottawa should be the Seat of Government. (Hear, hear.) He believed that some Constitutional change between Upper and Lower Canada must take place, but if the scheme he proposed were carried out to-morrow, he would consider Ottawa just as acceptable for the Seat of Government as any other place. (Hear, hear.) In his opposition to that city, he had been actuated chiefly by the feeling that, until some Constitutional Changes were effected, no place should be fixed upon for the Seat of Government that was not approved by the people of the Western section of the Province. If the changes desired were agreed upon, the locality of the Seat of Government would be considered of comparatively little importance.

Mr. TURCOTTE—The motion was of course one of want of confidence, for the subject which the House was called to consider was that of the Supplies, and if any other was substituted it would be a censure on the Ministry; but the Hon. member would find that the House was not going to be taken in such a clumsy trap. The motion had been well characterized as mere *blague*, intended to influence the election at St. Roch's.

Hon. Mr. SICOTTE—In 1859 he had said that the pretension then held, that the vote was not a final one, but one which was liable to be modified, was a mistaken one, and he regarded Parliamentary decisions as too grave and serious to be trifled with. However, he had always voted against Ottawa, and to be consistent he would do so now; but without any purpose or intention of embarrassing the Government.

Hon. Mr. DRUMMOND—The Ministry, after having been defeated upon the Seat of Government, thought it necessary to send a delegation to England to advocate a Federal Union of all the North American Provinces, holding that the constant difficulties between the two sections of Canada rendered some Constitutional change necessary. The Government had however, it seemed, abandoned the idea of a Federal Union, and if we were to continue in our present condition he held, as he had always held, that Ottawa was the most proper place for the Seat of Government, therefore he would readily vote for a continuance of the work. And though he

did not so believe, yet looking at the money already spent, and at the rights of the contractors, it would be impossible to stop the work without incurring a loss of a million of dollars, which certainly we were not able to bear. Then if there were a general Federation and the great inland connection with the West by water or Railway, or both, were effected, even then Ottawa would be a very proper place as a centre for the General Government, since it would be from 450 to 500 miles shorter than the route now used, a fact which would unquestionably make of Ottawa a very great city.

The House then divided on the amendment: Yeas 24, Nays 88.

YEAS:—Messrs. Bourassa, Bureau, Caron, Chapais, Cimon, Desaulniers, Dorion, Fortier, Fournier, Gaudet, Hébert, Jobin, Laberge, Laframboise, Langevin, Lemieux, Loranger, McGee, Piché, Dunbar Ross, Sicotte, Simard, Tassé, Thibaudeau.—24.

NAYS:—Messrs. Abbott, Aikins, Alleyne, Archambault, Baby, Bell, Benjamin, Biggar, Brown, Buchanan, Burton, Burwell, John Cameron, Malcolm Cameron, Carling, Cayley, Atty. General Cartier, Clark, Connor, Coutlée, Daly, Daoust, Dawson, Dionne, Dorland, Drummond, Dunkin, Ferguson, Ferres, Finlayson, Foley, Foster, Galt, Gill, Gould, Gowan, Harcourt, Harwood, Heath, Holmes, Howland, Labelle, Lacoste, Laporte, Le Boutillier, Loux, Macbeth, Attorney General Macdonald, MacLeod, Mattice, McCann, A. P. McDonald, McDougall, McKellar, McMicken, Meagher, Solicitor General Morin, Morrison, Mowat, Munro, Notman, Panet, Papineau, Patrick, Playfair, Pope, Walker Powell, William F. Powell, Robinson, Roblin, Rose, James Ross, Rymal, Richard W. Scott, William Scott, Sherwood, Short, Simpson, Sincennes, Somerville, Stirton, Tett, Turcotte, Wallbridge, Webb, White, Wilson, and Wright.—88.

The House then went into Committee, Mr. DUNKIN in the Chair. The Committee passed one item, rose, reported progress, and asked leave to sit again.

PUBLIC INSTRUCTION IN UPPER CANADA.

Hon. Attorney General MACDONALD moved the second reading of the Bill for the promotion of Public Instruction in Upper Canada. The Bill, he explained, merely proposed amendments in regard to matters of detail which experience had shown to be necessary.

Hon. Mr. BROWN said the House had not an opportunity of learning the opinion of their constituents on the Bill, and many members had not even had an opportunity of themselves considering it. He moved in amendment, that the Bill be read the second time on the first day of next Session.

The House divided on the amendment: Yeas 82, Nays 49.

YEAS:—Messrs. Aikins, Bell, Biggar, Brown, Burwell, Clark, Connor, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Howland, Mattice, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, James Ross, Rymal,

William Scott, Short, Somerville, Stirton, Thibandean, Wallbridge, White, Wilson, and Wright.—32.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Benjamin, Buchanan, Burton, Carling, Cayley, Attorney General Cartier, Chapais, Cimon, Coutlée, Daly, Daoust, Dionne, Dunkin, Ferres, Fortier, Foster, Fournier, Galt, Gaudet, Harwood, Heath, Holmes, Labelle, Lacoste, Langevin, Laporte, Loux, Macbeth, Atty. Gen. Macdonald, MacLeod, McCann, McMicken, Solicitor General Morin, Panet, Playfair, William F. Powell, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Tassé, Tett, and Turcotte.—49.

The Bill was then read a second time, and referred to Committee of the Whole on Wednesday next.

The House then adjourned at 12.15 o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Thursday, May 10, 1860.

Hon. Mr. SPEAKER took the Chair at three o'clock.

NEW JUDICIAL DISTRICTS IN LOWER CANADA.

Hon. Mr. TESSIER enquired whether the Government intended to take any and what steps to put an end to the difficulties and delays in the erection of the Gaols and Court Houses in the new Judicial Districts in Lower Canada, and particularly in the District of Rimouski, and at what date these Gaols and Court Houses are to be completed and delivered, according to contract.

Hon. Mr. VANKOUGHNET replied that the Government had taken steps in the matter. The time of the contract entered into had not yet expired, as some delay had been experienced. With regard to the date which these Court Houses and Gaols were to be completed and delivered, he was not sure whether the enquiry of his Hon. friend extended to Rimouski solely, or to all the contracts for the erection of Gaols and Court Houses in Lower Canada, so that he did not bring down the necessary information. However, he had no objection to bring down all possible information on the subject.

CONTRACT FOR COURT HOUSES IN LOWER CANADA.

Hon. Mr. TESSIER moved that an humble Address be presented to His Excellency, praying him to transmit to this House a copy of the Contract for the erection of the Court House and Gaol in the District of Rimouski, including the bond for the fulfilment of the contract.

Hon. Mr. VANKOUGHNET had no objection.

ABOLITION OF TOLLS ON WELLAND CANAL—VISIT OF THE PRINCE OF WALES.

Hon. Mr. MORRIS desired to call the attention of the Government to a statement made in the Morning *Chronicle* of the 10th inst., to the

effect that it was intended to abolish all tolls on the Welland Canal. He hoped that the Hon. Commissioner of Crown Lands would waive all ceremony and inform the House was this true or not.

Hon. Mr. VANKOUGHNET presumed that the Hon. gentleman was reading from an editorial in the paper referred to, and not an official announcement.

Hon. Mr. MORRIS admitted that such was the fact.

Hon. Mr. VANKOUGHNET, in that case, would leave the Finance Minister to explain his own policy in the other House, when it was probable the same information would be asked for. Before sitting down he wished to say a few words regarding the proposed visit of the Prince of Wales. The Government had not received any direct information on the subject. All that was known was, that he would not leave for Canada before the 15th of July. He might leave after it. It was not known whether His Royal Highness would visit Nova Scotia or not. If he did, of course he would not be here as soon as the first of August, the time at which he was expected to arrive here. It was the intention of the Government therefore to ask the credit from the House to receive him as was fitting. The Government had also decided not to receive him with the formality of the House sitting, as such a course would be attended with inconveniences of etiquette. Addresses, however, would be passed by both Houses; and as many members as possible would be present to receive him, and accompany him to the ceremony of the opening of the Victoria Bridge. The expenses of the members, it was proposed, to defray out of the sum to be appropriated for the reception.

RELATIONS DES JESUITES.

Hon. Mr. MOORE brought up for consideration the Report of the Joint Committee on the Library on this subject.

Hon. Mr. MORRIS moved the House into Committee of the Whole, to take it into consideration.

The House resolved itself into Committee of the Whole—Hon. Mr. *Ferrier* in the Chair.

Hon. Mr. ALEXANDER moved an amendment to the adoption of the report, to the effect that it be referred back to the Committee to be amended by the striking out of the recommendation of the appropriation of £1,000 to Mr. Lovell, for the printing of an English edition of the *Histoire des Jésuites*. He contended that the state of the country did not warrant such an expenditure.

Hon. Mr. ALLAN protested against such a statement, as a member from Upper Canada. The work in question was highly interesting, and contained information as valuable to the people of Upper Canada as of Lower Canada—and he did not think that for such a paltry sum as a thousand pounds the great mass of the people of Upper Canada should be debarred from access to that most important work.

Hon. Mr. FERGUSSON opposed the expenditure. He did not think the people of Western Canada cared for the work.

Hon. Mr. GOODHUE said, that the people of Upper Canada were much interested in the work, and he should much like to see it translated.

Hon. Mr. MORRIS begged to second Mr. Alexander's motion. If the translation was required, it should be done by subscription—not at the expense of the country.

Sir E. P. TACHE could not recollect a single instance in which a Joint Report was amended in the Council. It was for the other House—who held the purse strings, and who would not rashly tax their own contingencies—to make such an amendment. He was in favor of the people expending their own money to learn the early history of their country. But as this matter affected Upper Canada only, he would leave it with the Upper Canadian members to decide it.

Hon. Mr. VANKOUGHNET agreed with the gallant Knight, as to the impropriety of an amendment. He was sorry to hear an Honorable gentleman say that the *Histoire des Jésuites* was a work uninteresting to the people of Upper Canada. Was the House about to adopt an exclusive Chinese policy, and declare that all the people outside of Upper Canada, were barbarians? It was not creditable to hear Hon. gentleman say so. The people of Windsor might as well say that they were not interested in the Battle of Chrysler's Farm, because it was not fought in their own locality; or it might as well be proposed to declare that the River St. Lawrence should only run as far as Cornwall, and that the remainder of it should be called by a French name. He strongly condemned such a narrow-minded policy. Nothing could be more interesting than the early history of the pioneers of one's country. Even in the United States such a work would be eagerly sought after—for the information it contained. He would merely add that if such a work was not interesting to Upper Canada—it was interesting to all the world—except Upper Canada.

Hon. Mr. FERGUSSON was in favor of extending information at his own expense—but not in this instance at the expense of the public.

Hon. Mr. MOORE concurred in the statement that the work would be valuable not only in Upper Canada—but also in the United States. It would be the most acceptable exchange Canada could send to any State.

Hon. Mr. SEYMOUR thought that the proper course would be to move that the Committee rise and report progress and ask leave to sit again. An amendment he thought improper.

Hon. Mr. ALEXANDER—Before this motion was put, wished to remark that it was his opinion that no matter how valuable the work was, the country was in such a state that it could not afford the proposed expense. He hoped that the day was not far distant when

the Council would exert its undoubted right to amend money Bills—and then the objections of informality which had been urged against his motion would not be valid.

The motion that the Committee rise and report progress was then put, and carried.

THIRD READINGS.

The following Bills were read a third time:

- BILL—Provincial Land Surveyors Association.
- Hon. Mr. Vankoughnet.
- BILL—Montreal Mining Company, as amended.
- Hon. Mr. Ferrier.
- BILL—Carlton and Grenville Railway Bill, as amended.—Hon. Mr. Ferrier.

SECOND READINGS.

The following Bills were read a second time:

- BILL—Assessment Law Extension to Cities.
 - Hon. Mr. Vankoughnet.
 - BILL—Customs Duties.—Hon. Mr. Vankoughnet.
 - BILL—Trade Marks.—Hon. Mr. Vankoughnet.
 - BILL—Port Burwell Harbour.—Honorable Col. Prince.
 - BILL—Flour and Meal Inspection.—Hon. Mr. Perry.
- The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, May 10, 1860.

Mr. SPEAKER took the chair at 3 o'clock, P. M.

BILLS INTRODUCED AND READ A FIRST TIME.

BILL to amend an Act passed in the present Session to restrict interments in certain burial grounds in the City of Quebec.—Mr. Dunbar Ross.

BILLS PASSED THROUGH COMMITTEE.

BILL to amend chapter 49 of the Consolidated Statutes of Upper Canada, respecting Joint Stock Companies.—Mr. Playfair.

BILL respecting the rights of innocent occupants of lands in Upper Canada, under titles which prove defective (and amendments).—Hon. Mr. Mowat.

BILL to make further provision for the safety of Passengers by Steamboats (from Legislative Council) and amendments.—Mr. John C. Cameron.

BILL to amend Chapter 95 of the Consolidated Statutes of Canada intitled "An Act respecting Lotteries."—(Reported)—Mr. Dunkin.

BILL to amend the Law of Replevin in Upper Canada (and amendments).—Hon. Mr. Mowat.

BILL for the protection of Settlers in Lower Canada, in certain cases (and amendments).—Mr. Hébert.

(To be Continued.)

T H O M P S O N ' S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the Office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Thursday, May 10, 1860.

BILLS PASSED THROUGH COMMITTEE.

(Continued from our last No.)

BILL to amend the Lower Canada Game Act (and amendment)—*Mr. Somerville.*

BILL to legalize the articles of certain Notarial Students, (*Mr. Gill*);—and Bill to legalize the proceedings of the Board of Notaries in the District of Kamouraska (and amendments.)—*Mr. Chapais.*

BILL to amend Chapter sixty-three of the Consolidated Statutes of Canada—(and amendments.)—*Mr. Dunkin.*

INNOCENT OCCUPANTS OF LANDS IN UPPER CANADA.

Hon. Mr. MOWAT moved the House into Committee on his Bill respecting the rights of innocent occupants of lands in Upper Canada, under titles which prove defective. He explained that the law in several European countries, as well as in several of the States of the Union was similar to that which he proposed should be enacted here.

Hon. Mr. SHERWOOD said it seemed to him that the language of the Bill was so general in its character that it would hardly be possible to get an uniform decision in all cases. Moreover, he thought the Bill would work unjustly. He moved in amendment that the House go into Committee this day six months.

Hon. Mr. DORIÖN said that the design of the Bill was to protect the occupants of property who had bought in good faith, but whose titles were afterwards found to be defective. The law as it was at present would enable a party who had sold property, the conveyance of which was defectively made, to come upon the purchaser five, ten, or fifteen years afterwards, when it had been doubled or trebled in value, and sweep away the fruits of all the labor expended upon it, and surely such a state of things required amendment.

Hon. Attorney General MACDONALD did not think the cases contemplated by the bill were so numerous as to require the enactment of a law for their protection. There was no comparison at all between the Bill of Mr. Hébert and that before the House, and the appeal made to the members who had favoured that measure was entirely baseless. Purchasers were bound to see that their titles were good, at least they should use all possible precaution with that view; but the Bill would go to encourage laxity, if not the forgery of titles, under which the real proprietor would be in danger of losing his property. Every man had a right at the time of purchase to demand security against a defective title.

Hon. Mr. MOWAT maintained that the objections against the Bill were entirely imaginary.

Hon. Attorney General CARTIER explained, in French, the objections to the Bill, and showed how much it fell short of the checks to wrong embodied in the "squatter" Bill of the member for Megantic. The law in Lower Canada guaranteed to a purchaser the possession of the property he had bought after he had held it for ten years, even though the title were then proved to be defective; but the Bill of the member for South Ontario prescribed no limit to the time when the previous owner could reclaim the property, which was a fatal defect. Nor did the Bill compel the registration of titles, as was done by the Notaries in Lower Canada, so that there could be no proper examination of titles. He (*Mr. Cartier*) would be willing to assist in amending the general law relating to property in Upper Canada; but he certainly would not help in passing a Bill which appeared to be introduced for special cases, and which not only assumed to legislate with respect to the future, but to the past.

The House divided on the amendment: Yeas 43; Nays 57.

YEAS:—Abbott, Alleyn, Baby, Beaubien, Benjamin, Burton, John Cameron, Carling, Attorney General Cartier, Chapais, Cimon, Daly,

Dionne, Ferres, Fortier, Fournier, Galt, Gill, Heath, Holmes, Lacoste, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, Solicitor General Morin, Morrison, Panet, Playfair, Pope, William F. Powell, Roblin, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Simpson, Tett, Wallbridge, Webb and Whitney. —43.

NAYS:—Aikens, Archambault, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Caron, Clark, Connor, Cook, Coullée, Daoust, Dorion, Dorland, Dunkin, Ferguson, Finlayson, Foley, Gaudet, Gould, Harcourt, Howland, Jobin, Labelle, Laberge, Laframboise, Langevin, Laporte, Lemieux, Mattice, A. P. McDonald, McDougall, McGee, McKellar, Merritt, Mowat, Munro, Papineau, Patrick, Piché, Dunbar Ross, James Ross, Rymal, William Scott, Short, Sicotte, Somerville, Stirton, Tassé, Thibaudeau, Turcotte, White, Wilson, and Wright. —57.

POLICE FORCES IN UPPER CANADA.

On motion of Mr. WILSON, the House went into Committee on the Bill respecting Police Forces in Cities and Towns in Upper Canada.

Mr. GOWAN moved in amendment the addition of the following clause: The Police Forces in Cities in Upper Canada shall consist of a chief constable and as many constables and other officers and assistants as the City Council from time to time deems necessary.

The Committee divided, when there voted: Yeas 45; Nays 41.

The Committee reported the Bill, with other amendments, and on motion that the amendments be read a second time,

Mr. WILSON moved that they be not read a second time; but be amended, by striking out the clause transferring the power of fixing the number of Policemen from the Police Commissioners to the City Council.

The House divided: Yeas 47; Nays 47.

YEAS:—Messrs. Aikens, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Chapais, Clark, Connor, Dionne, Dorion, Dorland, Finlayson, Foley, Gill, Gould, Harcourt, Hébert, Howland, Jobin, Laframboise, Lemieux, Mattice, McCann, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Walker Powell, Roblin, Dunbar Ross, James Ross, Rymal, Richard W. Scott, William Scott, Short, Somerville, Stirton, Thibaudeau, Wallbridge, White, Wilson, Wright.

NAYS:—Messrs. Abbott, Baby, Beaubien, Benjamin, Buchanan, Burton, John Cameron, Carling, Caron, Atty. General Cartier, Desaulniers, Dunkin, Ferguson, Ferres, Fortier, Fournier, Galt, Gowan, Harwood, Heath, Holmes, Lacoste, Langevin, Laporte, Loux, Macbeth, Attorney General Macdonald, McLeod, A. P. McDonald, McMicken, Meagher, Solicitor General Morin, Morrison, Panet, Playfair, Pope, William F. Powell, Price, Roblin, Rose, Sherwood, Sicotte, Simard, Tassé, Tett, Turcotte, Webb.

Mr. SPEAKER voting in the Negative, the motion was lost, and the Bill, as amended, agreed to.

INTOXICATING LIQUORS.

On motion of Hon. Mr. CAMERON the House went into Committee on the Bill to regulate the sale of intoxicating liquors in the Province.

Mr. DUNKIN moved that the Committee rise, report progress, and ask leave to sit again.

This was carried: Yeas 32; Nays 30.

The Committee rose, accordingly, and reported progress.

Hon. Mr. CAMERON moved that the Committee have leave to sit again forthwith.

Mr. McMICKEN moved in amendment that it have leave to sit again on Saturday next.

The House divided—yeas, 35; nays, 35.

YEAS:—Messrs. Abbott, Alleyn, Baby, Benjamin, John Cameron, Carling, Attorney General Cartier, Daly, Desaulniers, Dionne, Dunkin, Ferres, Fournier, Galt, Langevin, Lemieux, Lorange, Loux, Macbeth, Attorney General Macdonald, McCann, McMicken, Solicitor General Morin, Panet, Pope, Roblin, Rose, Dunbar Ross, R. W. Scott, Sherwood, Simard, Simpson, Tassé, Thibaudeau.

NAYS:—Messrs. Aikens, Bell, Bourassa, Brown, Burwell, Malcolm Cameron, Chapais, Clark, Connor, Dorion, Dorland, Drummond, Gaudet, Gould, Harcourt, Labelle, Laframboise, A. P. Macdonald, McDougall, McKellar, Mowat, Munro, Notman, Papineau, Playfair, W. Powell, James Ross, Rymal, Sicotte, Somerville, Stirton, White, Wilson, Wright.

Mr. SPEAKER gave the casting vote in the Affirmative.

The House then adjourned at 12.40.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, May 11, 1860.

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

THIRD READINGS.

The following Bills were read a third time: BILL to extend to cities certain provisions of the Assessment Act—Hon. Mr. *Vankoughnet*.

BILL—Customs Duties—Hon. Mr. *Vankoughnet*.

BILL—Trade Works—Hon. Mr. *Vankoughnet*.

SECOND READINGS.

BILL to incorporate the Village of Terrebonne.

FIRST READINGS.

BILL respecting the Administration of Justice in Lower Canada.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, May 11, 1860.

Mr. SPEAKER took the Chair at 11 o'clock, A. M.

BILLS READ A THIRD TIME AND PASSED.

BILL to amend chap. 49 of the Consolidated Statutes of Upper Canada, respecting Joint Stock Companies—Mr. *Playfair*.

BILL respecting the rights of innocent occupants of lands in Upper Canada, under titles which prove defective.—Hon. Mr. *Mowat*.

BILL (from Legislative Council) to make further provision for the safety of Passengers by Steamboats.—Mr. *J. Cameron*.

BILL to amend chap. 95 of the Consolidated Statutes of Canada, entituled an Act respecting Lotteries.—Mr. *Dunkin*.

BILL to amend the laws of Replevin, in Upper Canada.—Hon. Mr. *Mowat*.

BILL for the protection of settlers in Lower Canada in certain cases.—Mr. *Hebert*.

BILL to amend the Lower Canada Game Act.—Mr. *Somerville*.

BILL to legalize the articles of certain notarial students, in the District of Kamouraska (with amendments).—Mr. *Chapais*.

BILL for the Judicial incorporation of certain Joint Stock Companies.—Mr. *Dunkin*.

BILL relating to the final abolition of Feudal rights and duties.—Hon. Mr. *Cartier*.

BILL (from Legislative Council) respecting certain ordnance land reserves in Upper Canada.—Hon. Mr. *Sherwood*.

COMMITTEE OF SUPPLY.

On motion of Hon. Mr. GALT that the House go again into Committee of Supply.

Hon. Mr. BROWN moved in amendment, that the House do not now go into Committee of Supply, but that this House deeply regrets that the Administration should have sold in the London Stock Exchange, shortly before the opening of the present Session, Provincial debentures bearing five per cent interest, to the amount of £2,800,000 sterling, at a fixed price arbitrarily determined by the Finance Minister, and that price 2½ per cent under par, with one per cent commission, and ¼ per cent brokerage, involving a clear loss to the Province of £490,133. He said he should not review the whole question, but he wished to call the attention of the House to the fact that when the House was prorogued after last Session, it was with the distinct understanding with the Hon. gentlemen on the Treasury Benches, that the five per cent debentures should be sold at par. What he condemned the Hon. Minister of Finance for was the manner in which he sold the enormous amount he did. He should not have fixed 97½ as the price of the five per cent securities, when the fact was clear that he ought to have obtained a much larger rate. At the same moment when the Hon. Minister of Finance was selling the five per cents at 97½, the six per cents were worth 116; and at a time when the market was in a much more depressed state, in 1858, the Canadian Government sold £300,000 at 14 per cent premium, so there was no justification for the rate at which the Hon. gentleman had sold those securities. He held in his hand the London *Daily News* of the 18th April, from which it appeared the Victoria Government had effected a loan of £2,650,000, most successfully, by following the course he (Mr. Brown) had suggested, as the most expedient in regard to the Canadian Loan. They invited applicants

for their securities, and before opening the tenders they stated the minimum they would receive. There was not the slightest hesitation in stating the names of all the parties who applied, and the amount applied for. The Hon. gentleman had said he adopted the plan recommended by the financial agents of the Province, but it was clear that they had good reason to recommend it for they made a princely fortune by taking £500,000 of it themselves. Nothing could be more unreasonable than that so large a sum should have been thrown on the market at that price, and that such an enormous commission should have been paid. It was beyond question that the five per cents were a much better and more acceptable security in the London market than the sixes.

Hon. Mr. GALT—Why?

Hon. Mr. BROWN—Because the premium was not lost at the time the debentures expired. There was a certain annuity of five pounds a year. In the other case, every year made the security less valuable. He would not enter into the details of the transaction, but he wished to place upon record his protest against the counsel taken by the Hon. Minister of Finance. He believed the money of the Province had been wasted, and that the scheme ought not to have been entered into.

Mr. BUCHANAN said, he held an opinion on this subject, opposite to that of the Leader of the Opposition. He considered that the Government was not only justified in the late financial operation, but that it deserved unbounded praise for the ability and success of the Financial Minister. (Hear, hear.) Before that Hon. gentleman's great Financial effort, Canadian securities were known only to a few great Capitalists in London, and to parties having relations in the Colonies. They were introduced to the thousands and tens of thousands of buyers in the British Empire and all over the world. (Cheers.) And, in detail, the views of the Hon. member for Toronto were equally fallacious. The quotations given by him from the London newspapers, were retail prices, or the prices which small investors were willing to give for the convenience of getting the exact sums to suit their individual convenience. The inauguration of a new Loan by a Colony for the first time, was a very different thing, and could only have been done in the way the Financial Minister had directed, and through the instrumentality of the Financial Agents of the Province. We had this proved by the fact that, taking all such precautions and availing ourselves of all such powerful influences, the result was such as the Opposition did not approve. Notwithstanding the interested or ignorant opinions of parties here, the fact was that there never was a more successful Financial operation than the late one of the Government of Canada. (Hear, hear.) The fact that, in the London Market, India Stocks had been disposed of at 97, was alone proof that Canada could not successfully have aspired to more than 97½, the price obtained.

Hon. Mr. BROWN asked, if he compared the security of India with that of Canada.

Mr. BUCHANAN said, he had formerly expressed his opinion that we had even Municipal securities in Canada, which he would consider more safe to hold than India Stock, and his hope that the British Government would, bye and bye, be induced to allow Canada to invest our Sinking Fund in these, thus keeping the money in the Colony. (Hear, hear.) Yet India Stock was considered one of the most desirable Investments in the British Money Market. We had proof of this in the fact known to all that Canada had invested her Sinking Fund in India Stock. He was aware that a few weeks previously the Financial effort of the Government could not have been proposed, and a few days later it would not have been successful; and for this adroit management the Government was entitled to great praise, (hear, hear;) and there never was an occasion when blame showed more ignorance or more injustice. (Hear, hear.)

Hon. Mr. GALT said, the Hon. member for Toronto had charged him, first with having misled the House in regard to the usual course taken in negotiating loans, and secondly with having taken the wrong course in this matter. But it was of very little importance to the House whether the course he had taken was in principle right or wrong: the question was, whether it had resulted favorably or unfavorably to the country. He would rest his whole defence on the case of the Victoria Loan cited by the Hon. member for Toronto. In regard to the mode of making the loan, it was true, he had not put in a sealed envelope with a minimum price at which he would accept tenders, as the Victoria Government had done, but there was this difference between the two operations, the Victoria Government did not get within 40 per cent. offered of what they asked for, while we got offers for ten times the amount we wanted. But the Hon. member says that afterwards they got more than they required. Yes, after their minimum price of 5 per cent. was known, they got the paltry sum of £350,000 offered over the deficit tendered on the first occasion. The Hon. member had also said that our 5 per cents. were worth more than 97½, but if the 6 per cents. were worth but 111 as he admitted they were, how would he reconcile the two statements? Oh, the Hon. member replied, the 5 per cents. were always favorite securities. Then, if they were, the 6 per cents. would readily convert, and he (Mr. Galt) would say that if this language meant anything, it meant that it was a wise measure to issue 5's instead of 6's. Thus he convicted the Hon. member out of his own mouth. He thought he had conclusively shown that if he had followed the Victoria mode he would have been far less successful than he had been, and that if 5 per cent. was to be the only rate in future, a considerable advantage had been gained. He thought he might safely leave the matter to the vote, and it was satisfactory to know that, in

England the operation was regarded as a most successful one.

Hon. Mr. BROWN rose to reply.

The SPEAKER read the rules that, when a member moved an amendment to the motion to go into Committee of Supply, he was not entitled to a reply.

Hon. Mr. GALT—Let the Hon. member speak with the understanding that I will follow him.

Hon. Mr. BROWN said, that the Hon. member had so completely reversed the state of things, and made such a burlesque (hear, hear and laughter) of his (Mr. Brown's) statements, that it was necessary, for the sake of disabusing the House, to reply to him. His own first point related to the mode in which tenders were called for, and when he had adduced the case of the Victoria Government Loan, he (Mr. Galt) had said that no such course was ever adopted, save by the British Government.

Hon. Mr. GALT—No, I said it was never successfully pursued by other Governments.

Hon. Mr. BROWN—No Government was ever in a better position to borrow than was our own at the time when this operation was made, for we had always paid our way and preserved a high credit; and yet the Government of Victoria had pursued a different course to our own in negotiating its loan, and with success. But there could be no comparison between the two Governments, for that of Victoria was hardly known in the London Money Market.

Hon. Mr. GALT—You will hear about that.

Hon. Mr. BROWN—The Hon. member had laid much stress upon the fact that Canada had to pronounce upon the solvency of the parties who tendered. Well, Victoria had to do this also. All those who had offered for the Victorian loan at 105, had got what they asked, and the stock then rose to 110.

Hon. Mr. GALT—No, no, the securities of that Government were at 110 before they asked for the loan, but when they did, their securities fell to 105. (Hear, hear.)

Hon. Mr. BROWN—Well, it was not very surprising, for they had borrowed for Railway purposes which were ever open to question, and such loans were always heavily shaved. If he (Mr. Galt) had solicited applications at the then prevailing prices for our securities, he would have got them. But what had he done? He had sold our securities which were worth 114 at 110, and those which his predecessor had sold at 100½, he had parted with at 90¾. Then he had sold £2,800,000, when he only wanted £450,000; and he was sure that if he had asked only what was required, he would have got it at the full price. The year before, these securities had sold at the full price, but for the purpose of having a large amount in hand, he had effected the larger operation. True, he had now a considerable surplus which he was using contrary to the agreement with the Stock Exchange, by paying with it the deficit of last year.

Hon. Mr. GALT—The Hon. member had better stick to the point.

Hon. Mr. BROWN would do so. The Hon. member had represented him as opposed to the issue of 5 per cent. securities, when in fact he had always been in favor of such a course.

Hon. Mr. GALT—Did not the Hon. member oppose the Consolidation Scheme?

Hon. Mr. BROWN—That was not to the purpose. What he meant to say was, that if the Hon. Finance Minister had pursued the course adopted by the Victoria Government, he would have got a better price. Then the Hon. member prided himself upon the rise in our securities that had followed the operation, but of what benefit was that to us? Why all the benefit was to the Brokers. He had now a surplus which he did not know what to do with.

Hon. Mr. GALT—Why, just now the Hon. member said I was using it to cover last year's deficit. (Hear, hear.)

Hon. Mr. BROWN—Well, the point of importance was, that the Hon. member had sold £2,800,000 at 96½, when he could have got 100½ as his predecessor had done.

Hon. Mr. GALT—Yes, he sold 6's at 100½.

Hon. Mr. BROWN—Well, to be sure, that was the most scandalous transaction that had ever taken place in the Province. But how was it that the Hon. member had sold securities worth 114 at 110?

Hon. Mr. GALT—Because the £3 coupons were cut out. (Laughter.)

Hon. Mr. BROWN—The sale should have netted nearly par, and it was not fair to compare the Victoria operation with what Canada might expect to do.

Hon. Mr. GALT—The Hon. member had said that Victoria was unknown in the London Money Market, was he aware that its Revenue was nearly three times as large as that of Canada? Was he aware that it had a large surplus Revenue? To say that a country was unknown which sent twenty million sterling of gold to England, and upon which the eyes of the world were fixed, was to make a very extraordinary assertion. But to come to our own loan, the Hon. member had all along represented this country as fast going to ruin, as greatly impaired in its credit, and had emphatically stated in his paper that if we attempted to borrow more money in London we should be sent back empty and in disgrace, but now he had entirely changed his opinions, for we were now gravely told that our credit was so good, our resources so unlimited, that we had met our obligations so handsomely that we could borrow £2,800,000 at the highest premium our securities had ever attained. He was glad that this discussion had taken place, glad that the Hon. member had unsaid all he had written in his journal, and all he had spoken in the House, in relation to our Financial position. But if all he had before said incorrect, it was clear he should not have said it, or, if true, then what he was now saying was not so. He was at liberty to accept which hour he chose.

Hon. Mr. BROWN (much excited) had never said such things, and was surprised the Hon. member should so represent him.

Hon. Mr. GALT had a perfect right to say what he was saying, for the Hon. member's paper had all along decried the credit of the Province. How could he allow a ruined Government to go into the Money Market to impose upon the lenders? Had not the Hon. member called upon the people of Canada not to pay their taxes?

Hon. Mr. BROWN denied it.

Hon. Mr. GALT maintained he had done so in his paper, as everybody knew. Then the Hon. member had said there was but a small amount of Victoria Bonds in the English Money Market, when with the present loan the Debt of that Colony amounted to between seven and eight millions sterling. The Hon. member had also alleged that he (Mr. Galt) had given 3 per cent. to the speculators. Would he have preferred that the price should have been fixed so high as to have occasioned a difference of five or six per cent. between the quotations and the ultimate sale, as in the Victoria case? The Victoria Bonds were worth about as much as our own before that Government went into the Market to borrow their £2,650,000, and immediately they came down to 105. Was this a proof of the superior advantages they had obtained? The Hon. member again asserted he had never been opposed to the issue of securities at five per cent. as he was willing to send out Debentures at that rate of interest, and he (Mr. Galt) would like to do that too, or even at four per cent., but who would take them. But to issue Debentures was a very different matter from creating an irredeemable stock at five per cent. The Hon. member had also stated that he (Mr. Galt) had said no Government ever went into the Money Market in the way the Victoria Government had done, but his statement was that no Government, save the British Government, had ever done so successfully, and he would read from the *Mirror of Parliament* that portion of his speech on the Financial operation in question, to which the Hon. member referred. (Mr. Galt here read the extract which expressly stated that no Government except that of Great Britain had ever successfully adopted the course suggested by Mr. Brown, and pursued by the Victoria Government.)

The vote was then taken on the amendment, which was negatived on the following division.

YEAS:—Messrs. Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Clark, Connor, Dorion, Dorland, Finlayson, Foley, Gould, Hartourt, Laframboise, Mattice, McDougall, McGee, McKellar, Mowat, Munro, Notman, Papineau, Patrick, Walker Powell, James Ross, Rymal, William Scott, Somerville, Stirton, White, Wilson, Wright.—35.

NAYS:—Messrs. Alleyn, Archambault, Baby, Beaubien, Benjamin, Buchanan, Burton, John Cameron, Carling, Caron, Attorney General Cartier, Chapais, Daly, Daoust, Dawson, Dionne, Dunkin, Ferguson, Ferres, Fortier, Fournier,

Galt, Gaudet, Gill, Gowan, Harwood, Heath, Hebert, Holmes, Labelle, Lacoste, Langevin, LeBoutillier, Loranger, Loux, McBeth, Attorney General Macdonald, MacLeod, McCann, A. P. Macdonald, McMicken, Meagher, Merritt, Solicitor General Morin, Morrison, Panet, Playfair, Pope, Price, Robinsou, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé, Tett, Turcotte, Webb, Whitney.—64.

The House then went into Committee of Supply, Mr. *Dunkin* in the chair.

Hon. Mr. GALT said in proceeding to the consideration of the estimates which had been submitted to the House in connection with the Public Works Department, he did not desire to anticipate the remarks which his Hon. friend the Commissioner of Public Works, would, no doubt, make in explanation of the various items within his Department, upon which a vote was sought. But it was his duty on this occasion to take the opportunity of stating to the Committee the policy which the Government had thought it right to adopt in reference to the great question of the internal trade of the country, with a view to develop that trade, and extend the industry of the country. The committee would observe there was an item in the estimates submitted for the improvement of the navigation of the St. Lawrence between Quebec and Montreal, and in that item rested the whole question which he was about to state to the House. Through means of that item the Government intended to test the feeling of the House on their policy. As would be seen, under that item the Government proposed to assume the whole of the works of Lake St. Peter, and place them in the same position as the other Canals and Public Works. But the Government did not propose to stop here. They had felt it their duty to look broadly at the whole question of an internal trade, and consider by what means it would be best promoted, and by what means the changes in respect of it could be made the least onerous upon our resources. It was within the knowledge of the Committee that the greater part of the Public Debt had been created for the purpose of improving the navigation of the St. Lawrence—namely, in constructing the Welland Canal, the St. Lawrence Canal, the Rideau Canal, the Lachine Canal, and various other works, including Lighthouses—so that there should be no impediment to the produce of the country bordering on the Great Lakes taking that route for the European market. Unfortunately from one cause or another, we had not succeeded in getting the trade of the Great Lakes diverted to our channel, unfortunately we had not attained the object for which so great an outlay had been incurred. The trade of the Western States, which we had desired and hoped to receive, passed through New York and Pennsylvania, we receiving simply what was intended for Ogdensburg and Oswego. No doubt our own Western country had derived immense advantages from the construction of these works, but the Province would not pro-

bably have incurred so large an expenditure, for that object alone, and consequently the conviction had been forced on the minds of the Government that they must either be prepared to incur a much larger expenditure, which the state of our finances at present did not warrant, an expenditure equal to \$10,000,000 for the construction of the Champlain Canal, and the enlargement of the Welland Canal, involving an additional burden of \$500,000 a year—or adopt some other means whereby the advantages which New York possessed might be counterbalanced. What other means then, were within their reach to effect this object? Only one seemed to suggest itself, and that was the removal of the charges on transport through the existing channel, thereby making the St. Lawrence as free from the Ocean to the Upper Lakes, as if there had been no interruption from Rapids and Falls, and no expense had been necessarily incurred in order to overcome these natural obstacles. By the removal of the tolls, &c., as proposed by the Government, the loss to the Revenue would be somewhere about \$110,000—\$115,000 at the outside. It was proposed to do away with the Lake and Light Dues to Lake Ontario, and to abolish the Tolls altogether on the St. Lawrence Canal. It was proposed also to abolish the Tolls on the Welland Canal, in the case of vessels going to Canadian ports or down the St. Lawrence. It was proposed likewise to do away with the Tolls on the Ottawa Canal; and the reason for that proposal was that the lumber trade, which was certainly the most important in the country, had been subjected to a very severe blow by the removal of the duties in England. His own opinion was that the result of that removal would not ultimately prove prejudicial; but in the mean time he thought it would be sound policy to remove the tolls. As the House was aware, the revenue received from these works was almost nominal, and went a very little way towards meeting the interest on the debt incurred in their construction. The question, therefore, for the Committee to determine, was whether it would not be better to let the whole burden of the interest fall on the whole of the community in the form of Customs Duties rather than allow a portion of it to be a charge on a part of the community, upon whose shoulders it acted as a weight in the transaction of their ordinary business, thus crippling the enterprise of the country. If there was one thing which tended to depress commercial enterprise, it was charges like these. True, we had from time to time reduced the tolls. But we had never reduced them to a point which would enable us to compete with our neighbours. The consequence had been that we had always been beaten in the race, and should continue to be beaten if we pursued the same course. The only way in which we could compete successfully was to remove these restrictions. Then there was no doubt that the producer in Upper Canada would be benefited. ("Hear, hear," ironically from Mr. Brown.) Why, if a bushel of wheat cost

10s. and the transport charge of 2s. was reduced to 1s. 6d. the farmer of Upper Canada would get the benefit of the reduction. Nothing could be clearer. The effect of freeing the river of these tolls would be to reduce the charge to the minimum. Nothing more than the absolute freight would have to be paid. The adoption of this policy would be beneficial alike to both sections of the Province. It was desirable to make it the interest of the West to come to the East, and to make it to the advantage of the East to secure the co-operation of the West; and nothing was calculated so much to bring about this desirable result as the adoption of such a policy as that proposed by the Government. In the carrying out of this policy, it would be necessary for the Government to assume the cost which had been incurred in deepening the channel of Lake St. Peter. The channel had been deepened from eleven feet at low water to eighteen feet at low water, and it was intended to deepen it to twenty feet. The total cost of this work was £170,000, secured on the tolls of the Montreal Harbour, involving an annual charge on trade of £12,000 to £14,000. The effect of thus deepening the Canal seven feet had been to reduce the freight to Europe no less than forty per cent. as compared with New York. (Hear, hear.) It was not proposed to remove the tolls from the Chamby and St. Ours Canals.

Mr. MERRITT said he agreed with the Hon. Minister of Finance in desiring to draw the trade of the United States through Canada; but differed widely from him in regard to the means of accomplishing that object. He believed the policy proposed would be prejudicial to both Upper and Lower Canada. It made a vast difference whether the revenue was collected from tolls or from duties. We had to be guided by the experience of our neighbours, and we found that in the State of New York the reduction of the tolls had not in the least increased the tonnage, but had deprived the State of its revenue and increased its taxation. The scheme proposed would not increase our trade a single ton, and believing the whole plan to be a fallacy he was entirely opposed to it.

Hon. Mr. BROWN much regretted that a scheme so important had not been brought up earlier in the session, that the House might have understood clearly what they were asked to vote upon. He thought it most preposterous that they should be called upon to sanction a change of such magnitude under a mere incidental item in the Estimates. The bargain had been made last year, while Parliament was sitting; \$60,000 had been already spent upon the project, and now the House was asked to endorse it as a matter of course. The first part of the scheme proposed that upon all goods passing up the St. Lawrence and all goods coming down the St. Lawrence no toll should be charged, but duties were still to be maintained on goods passing through the Welland Canal to American ports. If goods came through Montreal to American ports, they were to come free; but if they came from the West, through Upper Canada

canals, they were to pay. The tolls of the St. Lawrence canals were to be taken off; but nothing was said about the Chamby Canal. He believed the object of the whole plan was to bring trade from the West to Montreal. It was difficult to see what advantage would result to the country from the change proposed. It was said the effect would be to lower the rates of freight coming down the St. Lawrence, but all the large shipments went to New York. Only fifty-three bushels of wheat were carried down the St. Lawrence last year. There was no reason why the Harbor of Montreal should be placed in a position different from other harbors. Every other harbor in the country might reasonably claim the same assistance. But setting aside other objections to the scheme, he believed it would interfere materially with the working of the Reciprocity Treaty.

Hon. Mr. GALT in reply to the Hon. member for Lincoln, accused that gentleman of having changed his policy since the construction of the Welland Railroad, in which he was known to have an interest. He was not surprised, therefore, that he (Mr. Merritt) advocated the re-shipment of goods from the West, that they might pass over the Welland Railroad instead of through the Welland Canal. In reply to the Hon. member for Toronto, he distinctly denied that the bargain had been made last year. The amount of produce carried down the St. Lawrence was much greater than the remarks of the Hon. member would imply, and the goods carried by Railroad were not included in the trade and navigation returns, from which he had quoted. He admitted that if the tolls were decreased the deficit must be made up in some other way, but with the tolls removed, with the exception of Lake St. Peter, were those of Western Canada, and the measure was one especially beneficial to the ports of Upper Canada. If the country had unfortunately become involved in debt, the Government could not be blamed for taking the most effective means to remove the debt and preserve the public credit.

Hon. Mr. CAMERON defended the Hon. member for Lincoln from the charge of having changed his opinions in consequence of, his interest in the Welland Railroad. His own opinion of the measure proposed was that it would operate most unfavorably to the interests of Upper Canada.

Hon. Mr. MERRITT was of opinion that the Finance Minister had failed to justify his scheme. He (Mr. Merritt) had not abandoned his Canal policy, but still held that the Canals could continue to carry a certain description of freight cheaper than any other channels. The measure proposed would not bring more freight down, but he would favor it in order that the attention of the world might be drawn to the fact that we had the shortest route to the ocean.

Mr. CHAPPAIS said, time was when the Canals were expected to pay the national debt, but now that chimera was now abandoned. It was well to make the navigation of the St. Lawrence free, but he objected to make Montreal a pet place, and there was no doubt that the scheme would

go to favor that City and Portland, above all other localities. He had supported the Government hitherto, but their policy as now developed in its aspects towards Quebec and the Lower ports of the St. Lawrence, did not meet his approbation. A winter port could easily be created at Bic, or lower, and a truly patriotic and Canadian policy, would seek to do so. As to the deepening of the Lake St. Peter, he feared the money was thrown away, for the winter would undo all that was done in the summer, and it would be an eternal drain upon the Public Chest. He hoped the question would not be pursued to a decision this evening, as the House required time to weigh its very important features.

Hon. Mr. MOWATT desired to have the opinion of the Atty. Gen. West, as to the legal bearing of the scheme upon the Reciprocity Treaty. He thought it would trench upon it.

Mr. SIMARD held that no policy intended to advance the commercial prosperity of Montreal could succeed without favorably influencing the interests of Quebec.

Hon. Mr. CARTIER reminded the Hon. member for Kamouraska, that the deepening of Lake St. Peter had not only the benefit of Montreal in view, but the necessities of the whole Province. The Hon. member thought the Government had given too much attention to commerce and too little to agriculture, but the large expenditure for the Grand Trunk, was more in the interest of agriculture than of commerce. He agreed with the Hon. member that a winter port at Bic, was a matter deserving of serious attention, and he would say that he hoped no very protracted period would ensue before the proposal was practically tested. The item under debate had invoked attention during the Session, and it would be remembered that inquiries had been made in relation to the cost of deepening Lake St. Peter, to which it had been answered that the Government proposed to charge itself with the matter. The loss on the opening of the Canals would only be about \$100,000 per annum, for it must be observed that the costs of collecting the tolls would be saved. The principal objection urged by the Upper Canada Opposition was that the scheme would endanger the Reciprocity Treaty; but this was a fallacy, since the Americans would find it as much their advantage to avail themselves of the immunities offered, as the Canadians themselves.

Mr. THIBAUDEAU wanted to know how the deficit would be made up by making the Canals free. The expenses would go on just the same, and repairs would continue to be necessary, and in taking the lowest returns for some years past, he thought the loss could not be less than \$200,000. As to the deepening of Lake St. Peter, he regarded it as wholly in the interest of Montreal, though he certainly did not regret it.

Mr. ARCHAULT rather thought that the loss by the removal of the tolls would be £100,-

000, but he believed the benefits would be fully equal, and no doubt the Government saw that clearly. He anticipated that the general trade would be so much increased, that the customs revenues would be so benefitted in even a larger amount than that which would be relinquished.

Mr. BUCHANAN approved this measure, but thought it did not go far enough. There should be no restrictions on the freedom of the Canals.

Hon. Mr. BROWN said, if the House committed itself by this vote, there would be no end to applications for further improvements and changes in the same direction.

The House then went through various items, and rose and asked leave to sit again.

The House then adjourned at 2 o'clock, A. M.

LEGISLATIVE ASSEMBLY.

QUÉBEC, Saturday, May 12, 1860.

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

PRIVATE AND LOCAL BILLS READ A SECOND TIME.

BILL to divide the Township of Sandwich in the County of Essex, into two distinct Municipalities.—Mr. *McLeod*.

BILL to incorporate the Town of St. Thomas, and divide the same into Wards.—Mr. *Macbeth*.

BILL relating to the Northern Railway of Canada.—Mr. *Robinson*.

BILL for the relief of Henry Lowe and William Ridout, and to enable the Board of Examiners to examine and admit them as Land Surveyors of Upper Canada.—Mr. *Notman*.

BILL relating to the Sale of Land for Taxes in the United Counties of Peterborough and Victoria (from Legislative Council).—Mr. *John Cameron*.

PRIVATE AND LOCAL BILLS PASSED THROUGH COMMITTEE.

BILL to amend and extend the Act 22 Vict., cap. 74, to enable the Corporation of the Town of Dundas to issue Debentures, not exceeding a certain rate of interest, and to regulate the special rate for the redemption thereof.—Mr. *Notman*.

BILL to erect into a Village Municipality a certain part of the Parish of St. Christophe, in the County of Arthabaska.—Mr. *Dunkin*.

BILL to erect the Parochial Division of Saint Hubert, in the Parish of St. Antoine de Longueuil, in the County of Chambly, into a separate Municipality.—Mr. *Jobin*.

BILL to alter and amend the Act incorporating the Mechanics' Institute of Montreal.—Mr. *Dunkin*.

BILL to amend Acts relating to the Hamilton and Port Dover Railway Company.—Mr. *Buchanan*.

(To be Continued.)

THOMPSON'S
MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Saturday, May 12, 1860.

PRIVATE AND LOCAL BILLS PASSED
THROUGH COMMITTEE.

(Continued from our last No.)

BILL to amend the Act 20 Victoria, cap. 44, in reference to the Eastwood and Berlin Railway Company.—Hon. Mr. *Foley*.

BILL respecting the Indian Lands in the Township of Durham, in the County of Drummond.—Mr. *Dunkin*.

BILL to amend the Act incorporating the Metropolitan Fire Insurance Company.—Hon. Mr. *Dorion*.

BILL to remove doubts as to the validity of By-law number 309 of the Corporation of the City of Toronto and of certain Debentures issued thereon.—Mr. *Wilson*.

BILL to incorporate the Congregational Ministers' Widows' and Orphans' Fund Society.—Hon. Mr. *Dorion*.

BILL for the protection of the Quebec Water Works.—Mr. *Langevin*.

BILL to incorporate the Mount Hope Institute at London.—Mr. *R. W. Scott*.

BILL to annex to the County of Lévis, for Registration purposes, that part of the Parish of St. Joseph de la Pointe Lévis, heretofore included for Electoral purposes in the County of Bellechase.—Hon. Mr. *Lemieux*.

BILL to incorporate certain persons under the name of the Upper and Lower Canada Bridge Company.—Mr. *Heath*.

BILL to confirm and establish the present side lines and side roads in the Third, Fourth and Fifth Concessions of the Township of Beverly.—Mr. *Notman*.

BILL to authorize Joseph Ovide Rousseau to construct a Toll Bridge over the River Nicolet, opposite the Church of the Paraisa of Nicolet, in the County of Nicolet.—Mr. *Désaulniers*.

BILL further to amend the Act incorporating the Town of Three Rivers.—Mr. *Désaulniers*.

PUBLIC BILLS PASSED THROUGH
COMMITTEE.

BILL to diminish the number of Licenses for the Sale of Intoxicating Liquors by Retail.—Mr. *Simpson*.

BILL to extend to Parish and Township Municipalities the Acts authorizing the establishment of Joint Stock Gas and Water Companies.—Hon. Mr. *Lemieux*.

BILL to regulate the Presidency at Fabrique meetings in the Catholic Parishes of Lower Canada.—Hon. Mr. *Loranger*.

HOMESTEAD EXEMPTION.

The order being called for the adjourned Debate upon the question "That Mr. Speaker do now leave the Chair for—House in Committee on Bill No. 7, Mr. *A. P. Macdonald*, and Bill No. 14, Mr. *Daly*, to exempt Homesteads, and certain other property, under a certain value, from sale under execution (and amendments); and the Hon. Mr. *Thibaudeau's* motion in amendment, "that the House do resolve itself into the said Committee on this day six months."

Attorney General MACDONALD expressed his opinion that the Bill was too wide and general in its application, and would be found, in its operation, to deprive every honest mechanic of the chance of collecting his own debts. However, he would not oppose the going into Committee, because it might be there so amended as to make it more acceptable.

After some discussion, the amendment was withdrawn and the House went into Committee.

The Committee had not risen when the hour of adjournment arrived.

LEGISLATIVE COUNCIL.

QUEBEC, May 14, 1860.

Hon. Mr. SPEAKER took the Chair at three o'clock.

PRINTING.

Hon. Mr. SEYMOUR moved the adoption of all the reports of the Joint Committee on Printing from Nos. 1 to 17. Carried.

INSOLVENT COMPANIES RELIEF.

Hon. Mr. McDONALD moved the House into Committee of the Whole on the Bill to facilitate the winding up of the affairs of Insolvent Joint Stock Companies—Hon. Mr. Moore in the Chair.

Hon. Mr. VANKOUGHNET had consulted with the Attorney General and the Solicitor General, and had learned that it was impossible to get the Bill through the present Session. The Bill was a very important one, and he would suggest that it should be printed and distributed largely, and taken up again next Session. In the meantime, he would move that the Committee rise and report progress.

The Committee then rose and reported progress.

FIRST READINGS.

The following Bills were received from the Assembly, and read a first time.

Protection of settlers in Lower Canada.

Relating to the Notarial Profession in Lower Canada.

Judicial Incorporation of Joint Stock Companies.

PROROGATION.

Hon. Mr. VANKOUGHNET announced to the House that should the public business permit, it was the intention of His Excellency to prorogue Parliament on Friday next.

TWO SITTINGS EACH DAY.

Hon. Mr. VANKOUGHNET seconded by Hon. Mr. FERRIE, then moved that the House do meet to-morrow and each subsequent day of the Session at 11 o'clock in the morning.

LEGISLATIVE ASSEMBLY.

QUEBEC, Monday, May 14, 1860.

Mr. SPEAKER took the chair at 3 o'clock, P. M.

ESSEX ELECTION.

Mr. McDONALD moved an Address to His Excellency, praying that proceedings be taken against all the parties concerned in the outrages and frauds perpetrated at the last General Election for the County of Essex.

Hon. Attorney General MACDONALD said the wish of the Hon. gentleman had been anticipated by the Government.

The motion was then withdrawn.

VISIT OF H. R. H. THE PRINCE OF WALES.

Hon. Mr. BROWN moved in the absence of Hon. J. S. Macdonald, the appointment of a Select Committee, chosen equally from both sides of the House, to consider the best manner of receiving His Royal Highness the Prince of Wales, on the occasion of the anticipated visit of His Royal Highness the Prince of Wales to Canada.

A long discussion took place, in the course of which Attorney General CARTIER stated that the appointment of such a Committee was unnecessary in view of the fact that Parliament

would be called upon to adopt addresses to His Royal Highness, which would be presented by the Speakers of each House in the presence of the members, who would afterwards accompany the Prince to Montreal, to be present at the inauguration of the Victoria Bridge.

The motion was put and lost.

YEAS:—Messrs. Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorion, Drummond, Finlayson, Foley, Gould, Harcourt, Howland, Jobin, Laberge, Mattice, McDougall, Mowat, Munro, Notman, Papineau, Patrick, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, Short, Sicotte, Somerville, Stirton, Wallbridge, White, Wilson and Wright,—40.

NAYS:—Messrs. Alley, Baby, Beaubien, Benjamin, Buchanan, Burton, John Cameron, Campbell, Carling, Caron, Attorney General Cartier, Cauchon, Chapais, Cimon, Daly, Daoust, Dawson, Désaulniers, Dionne, Dufresne, Dunkin, Ferguson, Ferres, Fortier, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Hébert, Holmes, Labelle, Lacoste, Langevin, Laporte, Lour, Macbath, Attorney General Macdonald, McCann, McMicken, Morrison, Oumet, Panet, Playfair, Pope, Price, Robinson, Roblin, Rose, Richard W. Scott, William Scott, Sherwood, Simard, Simpson, Tassé, Tett, Webb, and Whitney,—59.

THE PROSECUTION OF MR. FELLOWES, *et al.*

Mr. McMICKEN moved for a return, showing in detail the costs incurred in the prosecution of George Byron Lyon Fellowes and others, arising out of the frauds practised at the last General Election, for the County of Russell, with the charge of the Prosecuting Officer, on the part of the Crown, and the amount to which the same was reduced when taxed by the proper officer of the Court. He (Mr. McMicken) made this motion, because various rumors were afloat as to the extravagant charge of one of the pure and patriotic gentlemen on the Opposition side of the House, who was entrusted by the Government with the prosecution of Mr. Fellowes. If rumor spoke truly, the Bill of the Hon. gentleman had been reduced by the taxing officer no less than 50 per cent. He desired to know how the fact was, so that if the rumor was not true, the Hon. gentleman might have the benefit of the publication of the fact; and if not true, that the constituents of Hon. gentlemen might read the true character of their representative.

Mr. ADAM WILSON said, that when the Bill was sent down, he himself was in Quebec, and that there were several items on it marked with pencil, the particular sums opposite to which he desired to have settled by the Attorney General himself; but, within twenty-four hours after that, the motion now made had been put on the paper, and to this day the Bill had not been settled at all. If public business was to be managed in this way, he thought it was a very loose one. When he saw the notice of motion on the paper, he spoke to the Attorney General who seemed very astonished at it, but

he was too busy to interfere; then he spoke to the Solicitor General who was also too much occupied to attend to him, and finally the Bill was sent up to be taxed. Then the story got abroad that he had been paid \$3000, and some Hon. members had actually said so in the House when in point of fact he had only received \$400 on account. Among others, the Hon. member for Broome had charged him with having got the money.

Mr. FERRES—The Hon. member is mistaken. I never said so. I stated he had made such a charge, but I could not say that he had got the money, for I knew nothing about it.

Mr. WILSON—Well, others had. He was actually out of pocket about \$800. He had paid two witnesses from the States \$300, and there were others wanting their money. In consequence of the report that he had received the amount stated, he had been repeatedly applied to by the other witnesses for what was due them. But he had not so much as received an acknowledgment of the account. He had been obliged to advance money to witnesses who could not have gone home if he had not done so, but as yet he had not received a farthing of these disbursements. When the Bill came down he would be ready to speak to the details, but he would merely now remark upon one item in it. Every body knew the importance of the case in question, and he was sure that if the management of it had been offered to an Attorney at the place where it was to be tried, no smaller fee than £100 could have been tendered him even for one or two days' attendance; but he had been ten days absent at an expense of £15; and all that was allowed him was £60, so that his remuneration amounted to £45. He considered it would be disgraceful to the House to offer such a fee in such a case. He hardly liked to say it, but he could not but think that if he lost the case there would have been less difficulty in the payment of the bill.

Hon. Atty. Gen. MACDONALD thought the Hon. member for North York might as well have omitted his last remark, that he would have no less difficulty in collecting his charges had he failed in the prosecution. If the Government had not desired to carry out the resolution of the House in good faith, they would not have employed the Hon. gentleman at all. It was because they knew they were liable to be attacked in this as in other cases with all kinds of insinuation, no matter how able their Counsel, that the case was put in the hands of that Hon. gentleman. If they had selected counsel whose opinions agreed with those of Mr. Fellowes, and the indictment had failed, it would have been said it was intentional. It was to place himself beyond the possibility of suspicion that he gave the case to the Hon. gentleman, with a *carte blanche*, and without any instruction or dictation whatever. He pursued the case with great zeal and ability, and with corresponding success. His attack on the Government was both improper and ungenerous, but it was worthy of the Hon. gentle-

man and in accordance with every thing else he had said in the House. (Hear, hear.) All the credit he (Mr. Wilson) had gained in the conduct of the case, he had lost by his ungenerous remarks upon it. The motion he referred to was not made by him (Mr. Macdonald), nor within his cognizance, and he was just as much surprised to see it on the paper as the Hon. member himself. He was exceedingly sorry to see it there, because, though he did consider the Bill a very large one, he thought the proper remedy was to get it reduced by the proper officer. He (Mr. Macdonald) asked and urged the Hon. gentleman who placed the notice on the paper to withdraw it, but he refused, saying, however, that he would not move it. The Bill of the Hon. member for North York was a very large one for conducting a single prosecution, but was cut down from seven or eight hundred pounds to about four hundred. When he (Mr. Wilson) stated how much he had disbursed, he included his fees to his own partner. The actual disbursements amounted to £128, and all the rest of the bill consisted of costs in the ordinary way. But he exceedingly regretted that it had been thought proper to make this motion, but he was surprised at the spirit in which the Honorable member for North York had chosen to speak to it, and at the attack he had taken the opportunity to make on himself (Hon. Atty. Gen.) He handed the brief to the Hon. member because he knew his indefatigability and his standing at the bar, and for the purpose of showing to the House and to the country that the prosecution would be carried out in good faith. He would have made no remarks on the subject had they not been drawn out by the Hon. member himself. He thought the bill unreasonably large, and, as it stood now, a full compensation for the services rendered. The Hon. gentleman received £100 in advance, and the reason there was no further payment was, that it was intended to pay the whole bill, when presented, by one warrant.

Mr. McMICKEN said he had no cognizance of the motion until he saw it in print, and he first heard of it in the streets of Quebec, by persons totally unconnected with public departments. He was asked to withdraw it, as a personal favor; but he said he wished to keep it on the paper, but would not move it.

Mr. WILSON said he gave the Hon. Attorney General West full credit for offering no embarrassment to him in the prosecution. Indeed, he gave him almost too much liberty, and left the whole matter in his hands. He had no assistance from him, but had no difficulties thrown in his way. The £128 referred to was not paid him yet. As to the amount paid, it was said, to his partner, he would only say that he had no more interest in the business of that gentleman than in that of the Hon. Attorney General. He had written, in November last; but his letter had never been acknowledged, and he thought his application had been most shabbily treated.

The motion was carried.

REPRESENTATION BY POPULATION.

Mr. WALLBRIDGE moved "That it is expedient that the Representation of the People in the Canadian Parliament be based on Population, without regard to a separating line between Upper and Lower Canada."

Hon. Mr. DORION moved in amendment that all the words after "that" in the original motion be struck out, and the following substituted:—"the disposition made by the Act of Union having assured to each of the two Provinces of Upper and Lower Canada an equal number of Representatives in this House, it is essential to maintain the existing Union of the two Provinces, and the Representatives of Lower Canada will not consent that this disposition shall be changed so long as the Union exists, without sacrificing the rights and interests which are most dear to their constituents." He proposed the motion for the express purpose of ascertaining how many Lower Canadians were in favor of the principle of Representation by Population, and how many were opposed to it. It was quite right that the matter should be understood.

Hon. Mr. CAUCHON said, if it was right that the matter should be understood, it was no reason why Hon. members should put themselves in a false position, as he believed this motion was intended to put them. For one, while he was willing to admit what the motion of the Hon. member seemed to demand, he believed there was under it some covert purpose, and he wished to know what it was, for he had no idea of recording a vote which might be pleaded against him at some future day.

Mr. GOWAN questioned if the amendment was relevant to the motion. It seemed to declare that the House could never agree upon the main object of the motion.

Hon. Mr. CAUCHON moved that all the words after "the two Provinces" be struck out of the amendment. He did this in order to remove all contingencies from the subject.

Hon. Mr. LORANGER had no objection to state what the motion in amendment asserted.

Hon. Mr. DORION—Nor have I.

Hon. Mr. CAUCHON—Of course not; still the Hon. member, only a short time ago, had expressed himself in favour of Representation according to Population.

Hon. Mr. DORION contradicted Mr. Cauchon, and insisted that when a member disavowed the words attributed to him by another they should not be repeated.

Hon. Mr. CAUCHON did not say the Hon. member spoke falsely when he denied having advocated Representation by Population; but he was assuredly mistaken, as he often was in matters of fact. But the Hon. gentleman found that his opinions were very unpopular and he was now trying to retrace his steps.

Mr. BUREAU characterized the statements of Mr. Cauchon as false. The Hon. member for Montreal had always voted against Representation by Population.

Mr. DUNKIN said the amendment was drawn up with a great deal of cleverness. Its object

was to draw as strong a vote from Upper Canada—or, rather, Upper Canada and the British portion of the members representing Lower Canadian constituencies—as it was possible to obtain. He anticipated, however, that the Hon. gentleman would find himself deceived in his calculations. He (Mr. Dunkin) would not, for one, be caught in the trap. He, for one, would not be found turning traitor to the interests of Lower Canada. As a Lower Canadian, the Hon. gentleman had no reason to be proud of the course he had adopted.

Hon. Mr. SICOTTE had no objection to vote for the motion of the Hon. member for Montreal, for he did not think he had any concealed purpose in making it (*arrière pensée*), still he preferred the motion as amended by the member for Montmorenci, and he would be glad that it should be voted upon if it were only to see how the Upper Canada section of the Administration would treat it.

Mr. FERRES reviewed the terms of the Union Bill, and said (ironically) he had no doubt that if Lower Canada had a majority of the population, the Upper Canadians would very readily grant them an increased representation.

Mr. BROWN—Of course they would. (Laughter.)

Six o'clock having arrived, the Speaker left the Chair.

COUNTIES OF YORK AND PEEL.

The House resumed the consideration of Mr. Carling's motion that the House go into Committee on the Bill to amend the Act to provide for the separation of the County of Peel from the County of York, and to provide for the selection of a County Town; and the amendment of Mr. Simpson, that on this day six months the House resolve itself into said Committee.

The House divided on the amendment: Yeas 42, Nays 50.

YEAS:—Messrs. Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, J. Cameron, M. Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Hébert, Laberge, Laframboise, Laporte, Lemieux, Mattice, McDougall, McMicken, Mowat, Munro, Notman, Patrick, Piché, Walker Powell, Rymal, William Scott, Short, Simpson, Somerville, Stirton, Thiabaudean, Wallbridge, White, and Wilson.—42.

NAYS:—Messrs. Archambault, Beaubien, Benjamin, Buchanan, Burton, Carling, Caron, Atty. General Cartier, Cauchon, Chapais, Oimon, Daly, Daoust, Dionne, Dufresne, Dunkin, Ferres, Fortier, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Holmes, Labelle, Lacoste, Langevin, Loranger, Loux, Macbeth, Attorney General Macdonald, McLeod, McCann, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Tassé, Tett, Whitney, and Wilson.—50.

The House then went into Committee on the Bill, and rose and reported the same without amendment.

On motion of Mr. CARLING that the Bill be read a third time to-morrow,

Mr. McMICKEN moved in amendment that the Bill be not read a third time to-morrow, but be referred back to Committee of the Whole, forthwith, to amend the same by providing that the vote of the Electors of the County of Peel shall be taken as to whether they still desire the separation of the County of York at the same time that the vote is taken for the County Town.

The House divided on this amendment: Yeas 48, Nays 51.

YEAS:—Messrs. Aikens, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Drummond, Finlayson, Foley, Gould, Harcourt, Holmes, Howland, Jobin, Laberge, Laframboise, Langevin, Lemieux, Matice, McDougall, McMicken, Mowat, Munro, Notman, Patrick, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Sciotte, Simpson, Somerville, Stirton, Thibaudeau, Wallbridge, Webb, White, Wright.—48.

NAYS:—Messrs. Alleyne, Archambeault, Baby, Beaubien, Benjamin, Buchanan, Burton, Carling, Caron, Attorney General Cartier, Chauchon, Chapais, Cimon, Daly, Dionne, Dufresne, Dunkin, Ferres, Fortier, Fournier, Galt, Gaudet, Gill, Gowan, Harwood, Heath, Labelle, Lacoste, Le Boutillier, Loux, Macheth, Attorney General Macdonald, MacLeod, McCann, A. P. McDonald, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Tett, Whitney, Wilson.—51.

The Bill accordingly stood for a third reading to-morrow.

CITY OF TORONTO.

Mr. WRIGHT moved the House into Committee on the Bill to provide for the separation of the City of Toronto from the United Counties of York and Peel, for Judicial purposes.

Hon. Mr. BROWN moved "That the House do not now go into Committee on the said Bill, but go into Committee on the same this day six months."

The House then divided. Yeas, 31; Nays, 25.

YEAS:—Messrs. Alleyne, Baby, Brown, Beaubien, John Cameron, Carling, Attorney General Cartier, Cauchon, Chapais, Dawson, Désaulniers, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Hébert, Langevin, Attorney General Macdonald, McCann, Munro, Ouimet, Panet, Playfair, Price, Robinson, Roblin, Richard W. Scott, Simard, and Tasse.—31.

NAYS:—Messrs. Aikens, Bell, Bourassa, Burwell, Dorion, Ferres, Finlayson, Foley, Gould, Harcourt, Holmes, Howland, A. P. McDonald, McDougall, Mowat, Patrick, Walker Powell, Rymal, William Scott, Short, Stirton, Thibaudeau, White, Wilson, and Wright.—25.

PRIVATE AND LOCAL BILLS READ A THIRD TIME.

BILL to erect into a Village Municipality, a certain part of the Parish of St. Christophe, in the County of Arthabaska.—Mr. *Dunkin*.

BILL to erect the Parochial Division of St. Hubert, in the Parish of St. Antoine de Longueuil in the County of Chambly, into a separate Municipality.—Mr. *Jobin*.

BILL intituled "An Act to alter and amend the Act incorporating the Mechanics' Institute of Montreal" (from Legislative Council).—Mr. *Dunkin*.

BILL to amend Acts relating to the Hamilton and Port Dover Railway Company.—Mr. *Buchanan*.

BILL to amend the 20th Victoria, cap. 44, in reference to the Eastwood and Berlin Railway Company.—Hon. Mr. *Foley*.

BILL respecting the Indian Lands in the Township of Durham, in the County of Drummond.—Mr. *Dunkin*.

BILL to amend the Act Incorporating the Metropolitan Fire Insurance Company.—Hon. Mr. *Dorion*.

BILL to remove doubts as to the validity of By-law number 309 of the Corporation of the City of Toronto, and of certain Debentures issued thereon.—Mr. *Wilsson*.

BILL to incorporate the Congregational Ministers' Widows' and Orphans' Fund Society.—Hon. Mr. *Dorion*.

BILL for the protection of the Quebec Water Works.—Mr. *Langevin*.

BILL to incorporate the Mount Hope Institute at London.—Mr. *R. W. Scott*.

BILL to annex to the County of Lévis, for Registration purposes, that part of the Parish of St. Joseph de la Pointe Lévis, heretofore included, for Electoral purposes, in the County of Bellechasse.—Hon. Mr. *Lemieux*.

BILL to incorporate certain persons under the name of the Upper and Lower Canada Bridge Company.—Mr. *Heath*.

BILL to confirm and establish the present side lines and side roads in the Third, Fourth and Fifth Concessions, of the Township of Beverly.—Mr. *Notman*.

BILL to authorize Joseph Ovide Rousseau to construct a Toll Bridge over the River Nicolet, opposite the Church of Nicolet, in the County of Nicolet.—Mr. *Désaulniers*.

BILL further to amend the Act incorporating the Town of Three Rivers.—Mr. *Désaulniers*.

BILL to extend to Parish and Township Municipalities the Acts authorizing the establishment of Joint Stock Gas and Water Companies.—Hon. Mr. *Lemieux*.

BILLS READ A SECOND TIME.

BILL to separate the United Counties of Northumberland and Durham.—Mr. *Burton*.

BILL relating to the Sale of Land for Taxes, in the United Counties of Peterborough and Victoria.—(from Legislative Council).—Mr. *John Cameron*.

BILLS PASSED THROUGH COMMITTEE.

BILL to amend the provisions of the several Acts, for the incorporation of the City of Montreal.—(and amendments).—Hon. Mr. *Dorion*.

Bill to amend and extend the Act 22 Vic., Cap. 74, to enable the Corporation of the Town of Dundas to issue Debentures, not exceeding a certain rate of interest, and to regulate the special rate for the redemption thereof.—Mr. *Notman*.

Bill intituled "An Act to incorporate the Pilots for and below the Harbor of Quebec—(from Legislative Council).—Hon. Mr. *Cauchon*.

The House then adjourned, at a quarter past one o'clock.

LEGISLATIVE COUNCIL.

QUEBEC, Tuesday, May 15, 1860.

Hon. Mr. SPEAKER took the Chair at Eleven o'clock, A. M.

FIRST READINGS.

The following Bills were read a first time:—

Toronto Corporation By-Law Bill.
Eastwood and Berlin Railway Extension of Time Bill.

Metropolitan Fire Insurance Bill
Joint Stock Road Bill.
Hamilton and Port Dover Railway Bill.
Victoriaville Incorporation Bill.
Indian Lands (Durham) Bill.
Arts and Manufactures (L. C.) Bill.
Three Rivers Incorporation Bill.
Superannuation Bill.

ADMINISTRATION OF JUSTICE IN L. C.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill respecting the Administration of Justice in Lower Canada.

The Bill was read a second time and referred to a Committee of the Whole.—Hon. Mr. *Knowlton* in the Chair.

The Committee rose and reported the Bill with one amendment, which was concurred in and the Bill ordered for a third reading at the next sitting of the House.

INGERSOLL VILLAGE INCORPORATION.

Hon. Col. PRINCE moved the second reading of the Bill to Incorporate the Village of Ingersoll.

Hon. Mr. VANKOUGHNET presented a petition against the Bill.

The Bill was read a second time and referred to a Special Committee.

CONTINGENCIES OF THE HOUSE.

The third and fourth Reports of the Contingent Committee were adopted.

Sir. E. P. TACHE moved that an Address be presented to His Excellency the Governor General, praying for the issue of a warrant for the sum of £70,000 for the Contingent expenses of the House.—Carried.

LIBRARY COMMITTEE.

On the motion that the House go into Committee of the Whole on the Joint Report of the Library Committee,

Hon. Mr. MOORE moved, that in accordance with the course pursued by the other branch of the Legislature, the Report be referred back again to Committee to be amended.—Carried.

DEFECTIVE TITLES.

Hon. Col. PRINCE moved the second reading of the Bill to afford relief to innocent occupiers of land. The object of the Bill was to provide that innocent occupiers of land purchased *bona fide* if turned out of possession by the legal owners, should be allowed the value of their improvements. The Bill was not at all a squatter's Bill.

Hon. Mr. VANKOUGHNET opposed the Bill, as it would affect existing titles by leaving it to a jury to determine as to the justice or injustice of the so-called innocent occupier's claims, and also because it would encourage squatting. The Bill was of such importance that he was sorry that it did not come up sooner; as at the present late period of the Session it was impossible that it could receive due consideration.

Hon. Mr. BOULTON thought the Bill in question much wanted, and would support it cordially.

Hon. Mr. TESSIER could not see much difference between the Squatter Bill and the Bill before the House.

The Bill was read a second time on a division and referred to a Special Committee.

UNTITLED OCCUPIERS OF LAND.

Hon. Col. PRINCE moved the second reading of the Bill for the protection of settlers in Lower Canada. The Hon. gentleman explained that he knew nothing about the Bill. He had moved the first reading because no one else would—the Bill seeming to be without an owner. He moved the second for the same reason.

Hon. Mr. BOULTON moved that the Bill be read a second time on Tuesday three months. This Bill was for the benefit of squatters. It was every way improper. Three or four times before it had been before the Council, and as often thrown out, and he hoped that it would again meet the same fate.

Sir E. P. TACHE contended that it was only fair and just that the Bill should be allowed to go to a Select Committee. It had passed through the Lower House, with the approbation of the Attorney General East, and should not be thus summarily dealt with.

Hon. Mr. WALKER opposed the Bill, as he thought it calculated to encourage spoliation. The Squatters always chose the best land, and never sought to find out the owner, and it was rather hard to legislate in their behalf as against the rightful owner.

Hon. Mr. HOLLIS SMITH opposed the Bill on the ground that it would do a great deal of injustice to owners of land.

Hon. Mr. VANKOUGHNET opposed this Bill, as he had opposed the Bill just read a second time. He considered it a very dangerous Bill.

Hon. Col. PRINCE thought the Bill before the House, and the one just read a second time, quite different in principle.

Hon. Mr. BOULTON thought so too. In no case, a man believed that he had bought a good title. In the other, the man was squatted on the land knowing that he had no title to it.

Hon. Mr. MATHESON opposed the Bill, as he knew from experience that it worked evil.

The House then divided on the amendment for the three months' hoist, which was carried. Contents, 19, Non-contents, 13.

SECOND READINGS.

The following Bills from the Legislative Assembly were read a second time and referred to a special Committee, without discussion.

BILL—Game Law amendment.—Hon. Mr. Moore.

BILL—Lotteries Law amendment.—Hon. Sir E. P. Taché.

BILL—Replevin Law amendment, Upper Canada.—Hon. Mr. Allan.

BILL—Police Force in Cities and Towns.—Hon. Mr. McDonald.

BILL—Notarial Profession Laws amendment. Hon. Mr. Quesnel.

BILL—Joint Stock Companies Judicial Incorporation.—Hon. Mr. Perry.

Indian Lands (Durham)—Hon. Mr. Vankoughnet.

BILL to confirm a By-law of Toronto Corporation.—Hon. Col. Prince.

BILL—to extend the time of the Eastwood and Berlin Railroad Company.—Hon. Alexander.

BILL—Joint Stock Road Act.—Hon. Col. Prince.

BILL to amend the Hamilton and Port Dover Railroad Act.—Hon. Mr. Alexander.

BILL respecting the Board of Arts and Manufactures.—Hon. Mr. Ferrier.

BILL respecting the Quebec Water Works.—Hon. Mr. Tessier.

BILL to incorporate the Ministers' Widows' and Orphans' Society.—Hon. Mr. Ferrier.

THIRD READINGS.

The following Bills were read a third time :

BILL respecting Lotteries.

BILL relating to Port Burwell Harbor.

BILL respecting the Judicature of Lower Canada.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, May 15, 1860.

Mr. SPEAKER took the Chair at 11 A. M.

BILLS READ A THIRD TIME AND PASSED.

BILL to regulate the Presidency of the Fabrique Meetings in the Catholic Parishes of Lower Canada.—Hon. Mr. Loranger.

BILL to amend the Act 19 Victoria, cap. 66, intituled "An Act to provide for the separation of the County of Peel from the County of York, and to provide for the selection of the County Town.—Mr. Carling.

BILL to diminish the number of licenses issued for the sale of intoxicating liquors by retail.—Mr. Simpson.

BILL to amend the provisions of the several Acts for the incorporation of the city of Montreal.—Hon. Mr. Dorion

BILL to incorporate the Pilots for and below the Harbor of Quebec.—Hon. Mr. Cauchon.

BILL respecting Foreign Judgments.—Hon. Mr. J. A. Macdonald.

BILL to amend and extend the Act 22 Victoria, cap. 74, to enable the Corporation of the Town of Dundas to issue Debentures, not exceeding a certain rate of interest, and to regulate the special rate for the redemption thereof.—Mr. Notman.

SUPERANNUATION FUND.

On the motion of the Hon. Mr. SHERWOOD, the Bill to enable the Public Servants of the Province to establish a Superannuation and Annuity Fund was read a second time, and referred to Committee of the Whole. The Committee rose and reported the Bill.

On motion that it be read a third time,

Hon. Mr. DRUMMOND moved in amendment that said Bill be not now read a third time; but that the consideration of the same be deferred until the first day of the next session, to enable full inquiry to be made into the number, salaries and capacity of the several employees, and the practicability of reducing their numbers before appropriating any money from the public chest towards establishing a superannuation fund.

The House divided on the amendment: Yeas 46, Nays 60.

The Bill was then read a third time and passed.

BILLS READ A SECOND TIME.

BILL to enable the Public Servants of the Province to establish a Superannuation and Annuity Fund.—Hon. Mr. Sherwood.

BILL (from Legislative Council) respecting the application to Cities of certain provisions of the Assessment Act, applicable also to Counties.—Hon. J. A. Macdonald.

BILLS PASSED THROUGH COMMITTEE.

BILL respecting the Consolidated Statutes for Lower Canada (with amendments).—Hon. Mr. Cartier.

BILL to amend the Consolidated Statutes for Upper Canada, chap. 3, known as the Territorial Division Act.—Hon. J. A. Macdonald.

BILL respecting Foreign Judgments.—Hon. J. A. Macdonald.

FEUDAL TENURE—THE HOUSE IN COMMITTEE.

Hon. Mr. CARTIER remarked upon the Resolutions in amendment of Hon. Mr. Loranger, that from their very language it was clear they had been drafted by a Seigneur. Then their effect would be most disadvantageous to the censitaires, since it would compel them to pay two Lods et ventes. The Hon. member for Montreal had said that his [Mr. Cartier's] Bill would involve long delays, but he begged to assure the

House that the settlement it proposed would not require six days. And what the commutation failed to yield would be made up by the State. Then as to the enormous expenses which the Hon. member for Laprairie alleged would be entailed by the Bill, he would say that such would not be the case. The Commissioners could not wind up their Commission in less than four months, but they could during that time attend to the business the Bill would create, so that objection fell to the ground. He certainly could not accept the Resolutions of the Hon. member.

Hon. Mr. LORANGER said that the Bill of the Attorney General was quite impracticable, and could not be made to work, (cries of question, question.) Well if Hon. members were impatient of the delay they must visit the blame upon the Attorney General, for having brought such a measure at the very heel of the Session. The Bill was impracticable in that there was a difference between it and the Seminary Ordinance which could not be reconciled. But of course, as usual, the law could be amended next Session, and the Session after that, and the next again if necessary, until the new patches would tear out the old cloth. He denied that the work contemplated would be done in six weeks or even in six months; he would go further, and say twelve months, and he predicted that the four small fees would not be commuted by this time next year. A much more simple method could be adopted, and it would be better to pay even what the Seigniors asked, than to have recourse to the Commissioners whose expenses were some £4000 per annum.

Hon. Mr. DORION—£3,200.

Hon. Mr. LORANGER said he was authorized by the Seigneur of Lagachetiere to say that if 14 per cent. could not be allowed, he would take less, and that he would make any sacrifice to bring the matter to a close. He hoped the House would see the reasonableness of his propositions, and would help him to pass them.

Hon. Mr. SICOTTE maintained that the measure of the Attorney General was much more onerous on the censitaires than that proposed by the member for Laprairie. The motion in amendment was then put and lost. The Committee went through the Bill and reported the same with certain amendments.

On the question as to when the report was to be received,

Mr. FERGUSON moved "that the said report be not now received, but that it be recommitted to the Committee, with instructions so to amend it, as to provide that whenever sum or sums be found necessary for the abolition of the Feudal Tenure they shall be paid out of the local funds of Lower Canada, and not out of the Consolidated Revenue.

The motion having been put, was lost on the following division:—

YEAS:—Messrs. Aikins, Bell, Biggar, Brown, Burvell, Malcolm Cameron, Clark, Connor, Cook, Ferguson, Finlayson, Foley, Gould, Gowan, Harcourt, Holmes, Howland, Mattice, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Piché, Walker Powell, James Ross, Ry-mal, William Scott, Short, Sturton, Wallbridge, White, Wilson and Wright.—35.

NAYS:—Messrs. Abbott, Alleyn, Archambeault, Baby, Beaubien, Benjamin, Bourassa, Buchanan, Bureau, Burton, Carling, Caron, Attorney General Cartier, Cauchon, Chapais, Cimon, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Drummond, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Gill, Heath, Hébert, Jobin, Labelle, Laberge, Lacoste, Laframboise, Langevin, Laporte, Le Boutillier, Lemieux, Lorange, Loux, Atty. Gen. Macdonald, McLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Papineau, Playfair, Roblin, Rose, Dunbar Ross, Sherwood, Sicotte, Simard, Simpson, Sincennes, Somerville, Tassé, Tett, Thibaudeau, Turcotte, Webb, and Whitney.—70.

Hon. Mr. CARTIER then moved the adoption of the amendments.—Carried.

The Bill was then ordered for a third reading on the morrow.

REPORT OF COMMITTEE OF SUPPLY.

Hon. Mr. GALT moved the adoption of the Report of the Committee of Supply.

Hon. Mr. BROWN moved in amendment "that the said Resolutions be not now read a second time, but be referred back to a Committee of the Whole forthwith to strike out the item of \$2,000 to George Benjamin, Esq., member of this House, for services rendered as member of the Printing Committee of this House, such proposed vote being calculated to bring this House into public contempt, and being opposed to the spirit if not to the letter of the Independence of Parliament Act, and a most dangerous precedent for future Parliaments." He admitted that valuable services had been rendered by that gentleman; but if the Chairman of the Printing Committee was to be paid, the Chairmen of other Committees also would be entitled to compensation on the same grounds. The Chairman of the Private Bills Committee had ten times the labor to perform, and it was labor of a much higher order than that required on the Printing Committee. It was said that after the last Session broke up Mr. Benjamin received not only some of the printing of the House, but also some of the Government printing. If this were true, it was clearly directly contrary to the Members of Parliament Act. He did not think the Hon. gentleman himself could have been consulted in this matter; he would surely have resented such a proposition. If members of the House commenced this system of paying one another, it would certainly bring them into contempt in the eyes of the country.

(To be Continued.)

THOMPSON'S

MIRROR OF PARLIAMENT,

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Tuesday, May 15, 1860.

REPORT OF COMMITTEE OF SUPPLY.

(Continued from our last No.)

Hon. Mr. GALT said that the Printing Committee last Session had recommended this appropriation to the Chairman of the Printing Committee, and had proposed an address to his Excellency to that effect. It was beyond a doubt that under the supervision of that gentleman a saving of \$100,000 per annum had been effected in the reduction of the charges. He believed it would involve no infringement of the privileges of Parliament. The Chairman of the Committee of the Whole in the House of Commons and the Chairman of the Railway Committee both received large salaries. On their own journals there was the case of Mr. Taché, who was sent to Paris and was afterwards awarded £500 by the House. There was no comparison between the labors of the Chairmen of other Committees and those of the Hon. gentleman in question, who had given nine or ten months of his time to the business of the House, and the vote proposed was very little more than his regular pay as member for the same time would amount to, and he hoped the House would deem it no more than an adequate compensation for the valuable services rendered.

Mr. PATRICK said the report of the Printing Committee of last Session, to which the Hon. member alluded, had never been adopted. It was drawn up by one of the members of the Committee; but was repudiated both by the Committee and the House, and he was much surprised to see it entered regularly on the journals. But notwithstanding the rejection of that report, the Government employed the Hon. member for North Hastings during the recess. (Hear, hear) He acknowledged the services had been rendered; but the Hon. member for Niagara had done even more work on that Committee than the Chairman. And others besides had worked most effectually and assidu-

ously; but they did not expect to get paid for it, and he thought the Chairman ought not to be paid anything extra for simply doing his duty.

Hon. Mr. SICOTTE said the practice in England had been alluded to; but the custom there was at the opening of a new Parliament to select a gentleman who was to be at the same time chairman of the Committee on Ways and Means and Chairman of the Committees of the Whole, and through whom the whole private business of the House was carried on. He was first nominated by the Committee on Supply; but if there was any objection, he was selected by the whole House, with the understanding that he was to be paid a stated salary, which was £500 per annum, paid in the same manner as the salary of the Speaker. This practice constituted no precedent to justify the conduct of the Government in the present case.

Mr. SIMPSON said, he did not regard the vote as one to the Chairman of the Printing Committee, but for services rendered to the Government during the recess in looking after the Printing of the Houses, and auditing the Printing Accounts. There was no member but must be satisfied that the services of the member for North Hastings had been extremely valuable, and that they had no right to avail themselves of them without paying for them.

Hon. Mr. GALT said, that the statement of the member for North Grenville was quite correct in reference to the 11th Report of the Printing Committee. But he seemed to have forgotten that the 8th Report, containing a similar recommendation, was assented to by a large majority of the Committee and presented to the House.

Mr. DAWSON confirmed the statement of the Minister of Finance. The eighth report was moved in Committee by himself, and adopted by a large majority.

Mr. DUNKIN said, this was a special case. An Hon. gentleman had been called on to render important services during the recess. Had

it been proposed to pay him for services given in Session, he (Mr. Dunkin) would not have voted for it. But there was a vast difference between the two cases. The Committee had recommended that the services should be rendered, and they were rendered. There was not only one precedent for the vote proposed, but two. There was no doubt a member of this House had been paid for going to Paris, and there was no doubt a member of the other House had been paid for travelling to obtain books for the library.

Mr. GOWAN said, he saw no analogy between the case of the payment of the Chairman of ways and means in England, and the payment of the Chairman of a Printing Committee. In the former case, a permanent salary was attached to the office, and consequently the House knew before-hand the conditions on which the appointment was made.

Several MEMBERS—It is an annual vote.

Mr. GOWAN—So was the Speaker's. In the case to which the member for Drummond and Arthabaska referred, the vote was not in payment for services rendered, but for expenses out of pocket. Again, if the services of the member for North Hastings were worth being paid for, they should be paid for in Session as well as out of Session. The proposition was discreditable and in violation of the principles of British practice.

Mr. McDUGALL said, the proposition was in violation of the Independence of Parliament Act.

Hon. Attorney General MACDONALD contended that there was nothing unconstitutional in the proposition, and argued that, in view of the valuable services of the member for North Hastings, and of the enormous reduction effected by him in the cost of printing, and it was expedient to remunerate him for his time and attention.

Hon. Mr. MOWAT maintained that the payment of this item would be in direct violation of the Constitutional Act, the Government having avowed that the Hon. member was not employed by the House, but by themselves—during the recess.

Mr. FERGUSON was of opinion that whether the Hon. member for Hastings received the \$2,000 or not, he would consider he was abundantly compensated by the great credit he had received this evening for his eminent services to the country.

Mr. ROBINSON—As no one had disputed the services rendered he wished to see if there were precedents in the House of Commons. In a debate in that House in 1840, Colonel Sibthorpe moved that the sum of £3,579 10s. be paid to Dr. Bowering for his services, and it was then stated, in reply to members who opposed the grant, that the Dundee Chairman of Excise and others had received payment for their services, therefore he could have no objection to vote for the item.

Hon. Mr. BROWN—On the 29th of April the Address of the Printing Committee was brought

in; but it was found that the grant of \$1,000 recommended to be paid Mr. Benjamin would have endangered his seat. And then, on motion of Mr. Dawson, it was moved in Committee that it should be paid out of the Contingencies; but that motion was lost, for the Committee rose and never met again. He did not deny the services of Mr. Benjamin during the Session; but he could not see what he had done during the recess, and it was disgraceful to say that out of the 37 Clerks there was not a man among them who could be trusted to check off the Printing Accounts. If this were true, it was time the whole staff were cleared out. If Mr. Benjamin had such transcendent abilities for this business, let him resign his seat and be permanently appointed to the office. The country would regard this proceeding with extreme jealousy, and if the item was paid many more such would follow, to the great demoralization of the House. As to the precedents of 1840 in the British Commons, he would find that the practice had very much changed since. He had said once in debate that there were eighteen members receiving, in some way or other, pecuniary advantages from the State; and when this was challenged he had shown their names to the party who questioned the correctness of the statement, when that party himself had added four to the list.

Hon. Mr. GALT—It was distinctly stated in the journals that the motion in Committee was passed by a majority of 5, the numbers being 8 to 3. The next day, however, Mr. Dawson had made the second motion, which was neither affirmed nor rejected,—as the Committee rose, and had not the opportunity of sitting again.

Hon. Mr. CAMERON was on the Committee and had voted for the remuneration named in the motion, to Mr. Benjamin, but as it was now proposed to pay the money for services done at the instance of the Government, it clearly brought the case under the operation of the Independence of Parliament Act.

Mr. DAWSON explained how it came to pass that the second motion was proposed in the Committee.

The question was then put on the amendment of Mr. Brown, which was lost on 52 to 50.

YEAS:—Messrs. Aikins, Bell, Biggar, Bourassa, Brown, Bureau, Burwell, Malcolm Cameron, Cimon, Clark, Connor, Cook, Dorion, Dorland, Ferguson, Finlayson, Foley, Gould, Gowan, Harcourt, Holmes, Howland, Jobin, Laframboise, Langevin, Lemieux, Loranger, Lattice, McDougall, McKellar, Mowat, Munro, Notman, Papineau, Patrick, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Sicotte, Somerville, Sturton, Thibaudeau, Wallbridge, White, Wilson and Wright.—50.

NAYS:—Messrs. Abbott, Alley, Baby, Beaubien, Buchanan, Burton, Carling, Caron, Attorney General Cartier, Chapais, Daly, Daoust, Dawson, Dionne, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Hébert, Labelle, Lacoste, Laporte, Loux, Macbeth, Attorney General Macdonald, McLeod,

McCann, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Simard, Simpson, Sincennes, Tassé, Tett, Turcotte, Webb and Whitney.--52.

Mr. BROWN moved in amendment that the said resolutions be not now read a second time, but be referred back to a Committee of the Whole forthwith, to strike out item number 24, by which it is proposed, to assume as a Provincial obligation the debt of \$680,000 incurred by the Montreal Harbor Commissioners in deepening Lake St. Peter for the benefit of the Port of Montreal, and by which it is also proposed to carry out the said work at the expense of the Province.

The House divided on the amendment. Yeas, 43; Nays, 63.

YEAS:--Messrs. Aikins, Beaubien, Bell, Biggar, Brown, Burwell, Malcolm Cameron, Chapais, Cimou, Clark, Connor, Cook, Dorland, Ferguson, Finlayson, Foley, Fortier, Gaudet, Gould, Harcourt, Holmes, Howland, Langevin, Lemieux, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Stirton, Thibaudeau, Wallbridge, White, Wilson and Wright.--43.

NAYS:--Messrs. Abbott, Alley, Archambeault, Baby, Benjamin, Bourassa, Buchanan, Bureau, Burton, Carling, Caron, Attorney General Cartier, Cauchon, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Dufresne, Dunkin, Fournier, Galt, Gill, Gowan, Harwood, Heath, Hébert, Jobin, Labelle, Laberge, Lacoste, Laframboise, Laporte, Loranger, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Papineau, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé, Tett, Turcotte, Webb and Whitney.--63.

Hon. Mr. BROWN moved in amendment that the said resolutions be not now read a second time, but be referred back to the Committee of the Whole, to provide as a condition of the grant stated in item number 24 that the tonnage dues now paid to the Harbor Commissioners of Montreal to defray the expenses of the works at Lake St. Peter shall not be abolished as proposed, but on the assumption of the Montreal Harbor Trust Debt by the Province, shall continue to be levied as heretofore, and shall be paid over to the Receiver General.

This amendment was lost. Yeas, 41; Nays, 65.

YEAS:--Messrs. Aikins, Beaubien, Bell, Biggar, Brown, Burwell, Malcolm Cameron, Chapais, Cimou, Clark, Connor, Cook, Dorland, Finlayson, Foley, Fortier, Gaudet, Gould, Harcourt, Holmes, Howland, Lemieux, Mattice, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Wallbridge, White and Wilson.--41.

NAYS:--Messrs. Abbott, Alley, Archambeault, Baby, Benjamin, Bourassa, Buchanan, Bureau, Burton, Carling, Caron, Attorney General Cartier, Cauchon, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Drummond, Dufresne, Dunkin, Fournier, Galt, Gill, Gowan, Heath, Hébert, Jobin, Labelle, Lacoste, Laframboise, Langevin, Laporte, Loranger, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Papineau, Playfair, Price, Robinson, Roblin, Rose, R. W. Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé Tett, Thibaudeau, Turcotte, Webb and Whitney.--65.

Hon. Mr. CAMERON moved, in amendment, that the Resolutions be not now read a second time; but be referred back to a Committee of the Whole forthwith, to provide, as a condition of granting item number one, that the proposition of the Government to abolish all tolls on merchandize passing through the Provincial Canals by way of the St. Lawrence, and retain them on merchandize destined for American ports, shall not be carried out.

The House divided on this amendment, when there voted: Yeas 41, Nays 59.

YEAS:--Messrs. Aikins, Beaubien, Biggar, Brown, Burwell, Malcolm Cameron, Chapais, Cimou, Clark, Connor, Cook, Dorland, Finlayson, Foley, Fortier, Gaudet, Gould, Harcourt, Holmes, Lemieux, Mattice, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Piché, Walker Powell, Dunbar Ross, James Ross, Rymal, William Scott, Short, Somerville, Stirton, Thibaudeau, Wallbridge, White, Wilson, and Wright.--41.

NAYS:--Messrs. Abbott, Alley, Baby, Benjamin, Bourassa, Buchanan, Bureau, Burton, Carling, Caron, Attorney General Cartier, Cauchon, Daly, Daoust, Dawson, Désaulniers, Dionne, Drummond, Dufresne, Dunkin, Fournier, Galt, Gill, Heath, Hébert, Jobin, Labelle, Laberge, Lacoste, Laframboise, Langevin, Laporte, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé, Tett, Turcotte, Webb, and Whitney.--59.

Mr. McDOUGALL moved, in amendment, that the said Resolutions be not now read a second time; but be referred back to a Committee of the Whole forthwith, to strike out the item of \$18,000 for constructing certain local turnpike roads in Lower Canada, and that such roads be constructed by funds of the localities benefited, as similar works in Upper Canada are constructed.

This amendment was lost: Yeas 30, Nays 67.

YEAS:--Messrs. Aikins, Brown, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorland, Finlayson, Foley, Gould, Harcourt, Holmes, Mattice, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Walker Powell, James

Ross, Rymal, William Scott, Short, Stirton, Wallbridge, White, Wilson, and Wright.—30.

NAYS:—Messrs. Abbott, Alleyn, Baby, Beaubien, Benjamin, Bourassa, Buchanan, Bureau, Carling, Caron, Atty. General Cartier, Cauchon, Chapais, Cimon, Daly, Daoust, Dawson, Désaulniers, Dionne, Dorion, Drummond, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Gill, Heath, Hébert, Jobin, Labelle, Laberge, Lacoste, Laframboise, Langevin, Laporte, Lemieux, Loux, Macbeth, Attorney General Macdonald, McLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Piché, Playfair, Price, Robinson, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé, Thibaudeau, Turcotte, Webb, and Whitney.—67.

Mr. PICHE moved in amendment that the 24th item be not now adopted, but that an humble Address be presented to His Excellency the Governor General, praying him to recommend to this House that the appropriation of \$60,000 for the opening of the means of communication, between the Public lands of Upper and Lower Canada, so as to facilitate the settlement thereof by inhabitants of this Province, and put a stop to the emigration from the Province which has taken place for the last few years, instead of appropriating the same sum to meet the interest and expenditure for the improvement of the navigation and deepening the ship channel between the cities of Quebec and Montreal, or in completion of the same work.

This amendment was lost. Yeas, 33; Nays, 59.

YEAS:—Messrs. Aikins, Beaubien, Brown, Bureau, Burwell, Chapais, Cimon, Connor, Dionne, Dorland, Finlayson, Foley, Fortier, Gaudet, Gould, Harcourt, Lemieux, A. P. McDonald, McDougall, McKellar, Mowat, Munro, Notman, Piché, Dunbar Ross, James Ross, Short, Stirton, Thibaudeau, Wallbridge, White, Wilson, and Wright.—33.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Benjamin, Bourassa, Buchanan, Carling, Caron, Attorney General Cartier, Cauchon, Daoust, Désaulniers, Dorion, Dufresne, Dunkin, Fournier, Galt, Gill, Heath, Hébert, Holmes, Jobin, Labelle, Laberge, Lacoste, Laframboise, Langevin, Laporte, Loranger, Loux, Macbeth, Attorney General Macdonald, McLeod, McCann, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Papineau, Playfair, Price, Robinson, Roblin, Rose, Richard W. Scott, William Scott, Sherwood, Sicotte, Simard, Simpson, Sincennes, Tassé, Turcotte, Webb, and Whitney.—59.

The resolutions were then adopted on a Division.

COMMITTEE OF SUPPLY.

Hon. Mr. GALT moved the House again into Committee of Supply,

Hon. Mr. BROWN moved in amendment that the House do not now go into Committee of Supply, but that it be resolved that in view of the unsatisfactory state of the Laws of Debtor and Creditor in regard to commercial matters in

Upper Canada, and the commercial embarrassment which has unhappily prevailed in that section of the Province, this House deeply regrets that the anticipations on this subject excited by His Excellency's speech from the Throne at the opening of the Session have not been realized, and that the attention of Parliament has not been invited by Government to a measure to protect creditors from fraud by their debtors, securing an equal distribution of insolvent estates, and enabling honest debtors on surrendering all their property for the benefit of their creditors, and proving that their loss was the result of misfortune, to be discharged from their obligations.

The House divided on the amendment, Yeas, 26; Nays, 62.

YEAS:—Messrs. Aikins, Brown, Burwell, Clark, Connor, Dorland, Foley, Gould, Harcourt, Howland, Laberge, A. P. Macdonald, McDonald, McDougall, McKellar, Mowat, Munro, Notman, W. Powell, James Ross, Rymal, W. Scott, Short, Stirton, Wallbridge, White, Wilson.—26.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Beaubien, Benjamin, Bourassa, Buchanan, Bureau, Burton, Carling, Caron, Attorney General Cartier, Cauchon, Chapais, Cimon, Daoust, Dawson, Désaulniers, Dionne, Dorion, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Harwood, Heath, Labelle, Lacoste, Laframboise, Langevin, Laporte, Lemieux, Loranger, Loux, Macbeth, Attorney General Macdonald, MacLeod, Mattice, McCann, Meagher, Solicitor General Morin, Ouimet, Panet, Papineau, Playfair, Price, Roblin, Rose, R. W. Scott, Sherwood, Sicotte, Simard, Simpson, Somerville, Tassé, Thibaudeau, Turcotte, Webb, and Whitney.—62.

The original motion was then carried, and the House went into Committee. The Committee rose, reported progress, and asked leave to sit again.

PUBLIC INSTRUCTION IN UPPER CANADA.

The House went into Committee on the Bill for the better protection of Public Instruction in Upper Canada. Various amendments were made, and the Committee rose and reported.

The House then at 1.15 adjourned.

LEGISLATIVE COUNCIL.

QUEBEC, May 16, 1860.

Hon. Mr. SPEAKER took the Chair at 11 o'clock, A. M.

[FIRST SITTING.]

POLICE FORCE.

Hon. Mr. MACDONALD moved the third reading of the Bill respecting the Police Force in Cities and Towns.

Hon. Mr. PERRY moved that the Bill be referred to a Committee of the Whole, in order to have it amended by striking out the word "towns"—then leaving the Act applicable only to cities.

The House resolved itself into Committee of the Whole,—Hon. Mr. *Tessier* in the chair.

Hon. Mr. ALLAN contended that the Bill did not place the town, as regarded the formation of a Police Force, in a worst position than they were at present.

Hon. Col. PRINCE said, the Bill did not give towns higher power than they had at present.

Hon. Mr. VANKOUGHNET explained that the only effect of the Bill was, to enable the Council of a town where a Police Force already existed, to apply a particular fund for the payment and relief of the Police Force.

Hon. Mr. MATHESON was sure that the Bill did give the Councils of towns additional power.

Hon. Mr. BOULTON was surprised at the opposition to the Bill. Its provisions were excellent.

Hon. Mr. FERRIER thought it a Bill to pension Policemen, and would vote against it.

The amendment to strike out the word "towns" was then put and carried, and the Committee rose, and reported the Bill.

On the question for the adoption of the Report, Hon. Mr. FERRIER moved that the report be received this day three months. He did not like the Bill, and took especial objection to the seventh clause, which made it imperative on the Town Council to pension a Policeman on his presenting them with a certificate.

Hon. Mr. VANKOUGHNET hoped that his Hon. friend would not press his motion. The Bill was a valuable one, and had passed through the Lower House after a great deal of discussion.

Hon. Col. PRINCE thought the mover laboring under a misapprehension as to the nature of the Bill.

Hon. Mr. FERRIER would withdraw his amendment, if the adoption of the report would not be moved for until the next sitting of the House.

The adoption of the report was postponed accordingly.

JOINT STOCK ROAD COMPANIES.

Hon. Col. PRINCE presented the Report of the Committee on the Joint Stock Road Companies Bill, with several amendments.

The Report was concurred in, and the Bill ordered for a third reading at the next sitting of the House.

THIRD READINGS.

The following Bills were read a third time:—
BILL to remove doubts regarding a By-Law passed by the City Council of Toronto.

BILL respecting the Eastwood and Berlin Railroad Company.

BILL respecting the Board of Arts and Manufactures.

BILL to Incorporate the College of Three Rivers.

BILL to annex to the County of Levis, certain parishes for Registration purposes.

FIRST READINGS.

The following Bills were read a first time:—
BILL respecting Foreign Judgments.

BILL to Incorporate certain persons under the name of the Upper and Lower Canada Bridge Company.

BILL to amend the Act for the separation of York and Peel.

BILL relating to Presidency at Public meetings in Parishes in Lower Canada.

BILL to amend the Act relating to the Incorporation of the Town of Dundas.

SUPERANNUATION BILL.

Hon. Mr. VANKOUGHNET moved the second reading of the Superannuation Bill.

Hon. Mr. ALEXANDER opposed the Bill, as he was sure that it would defeat the object for which it had been introduced—to have good servants and keep down expense. He feared that if the Bill were passed, and a new Government were to come in, advantage would be taken of it to make room for the army of hungry followers, that were always to be provided for on such occasions.

Hon. Mr. MORRIS also opposed the Bill. He thought it was not calculated to foster a feeling of self-respect among the employes of the Government who, in place of taking care of themselves, by ensuring their lives or securing their salaries would, in the event of the passing of the Bill, live up to their salaries, knowing that their after age was taken care of by the Government. He also opposed it because the Province was not equal to the additional burthen proposed to be laid on it, in order to found the fund in question.

Hon. Mr. VANKOUGHNET read the Bill, and pointed out that there was no fear that an employe could be forced to retire in order that another should be put in his place. It is well known that the employes make no provision for their old age, and the object of the Bill was to make them do so, and thus save them from the misery which at present they too often fell into.

Hon. Mr. ALEXANDER compared the provisions proposed by the Bill with those proposed for the widows and children of Clergymen and Military Officers, and showed that they were monstrously large.

Hon. Mr. BOULTON took the same view of the pensions. They were made too large in his opinion. However he desired time to consider the Bill. The Officers of the army and navy were not paid so well as it was proposed to pay the Retiring Clerks. He hoped that the measure would be postponed for another session.

Hon. Mr. VANKOUGHNET explained that this Bill had already been postponed from last Session, and no good could be got by again postponing it. With regard to the amount to be paid to the widows and orphans of deceased public servants out of the fund, he assured the House that the amount to be paid depended solely upon the state of the fund; and the burthen of it would fall on the employes themselves.

Hon. Mr. SEYMOUR was opposed to pensions altogether, especially to pensioning the army of clerks proposed in the Bill.

The Bill was read a second time, and ordered to be committed to the whole at the next sitting of the House.

The Speaker then left the Chair, it being one o'clock.

[SECOND SITTING.]

Hon. Mr. SPEAKER took the Chair at three o'clock.

MONTREAL INCORPORATION.

The Act to amend the Act incorporating the City of Montreal, was read a first time.

SUPERANNUATION BILL.

Pursuant to order, the House resolved itself into Committee of the Whole on the Bill,—Hon. Mr. Masson in the Chair.

Sir E. P. TACHE was not prepared to discuss the question at present, and would accordingly move that the Committee rise, report progress, and ask leave to sit again.

Hon. Mr. VANKOUGHNET explained that the proposed scheme had been tried in England, and found to work admirably.

Hon. Mr. SEYMOUR thought that the measure ought to stand over until next year.

Hon. Mr. MORRIS hoped that the amendment of the gallant Knight would prevail.

Hon. Mr. VANKOUGHNET desired to act in accordance with the wishes of the House, and he thought the most harmless course to pursue would be for the Committee to rise, report progress, and ask leave to sit again.

The Committee rose, reported progress, and asked leave to sit again on Friday.

METROPOLITAN FIRE INSURANCE COMPANY.

The Bill to Incorporate the Metropolitan Fire Insurance Company was thrown out on a division without discussion.

SECOND READINGS.

The following Bills were read a second time.
BILL—Beverly Side Lines.—Hon. Mr. Harmaun-Smith.

BILL—Joint Stock Gas and Water Companies extension.—Hon. Mr. E. Duchesnay.

BILL—St. Hubert Municipal Sub-Division.—Hon. Mr. Wilson.

BILL—Victoriaville incorporation.—Hon. Mr. Ferrier.

POLICE FORCE IN CITIES AND TOWNS.

On motion for third reading of the Bill, Hon. Mr. TESSIER moved that it be referred back to a Committee of the Whole, to be amended by confining it to Upper Canada solely.

Hon. Mr. VANKOUGHNET condemned this sectional legislation. The Bill had been framed for the whole Province, and if it was bad for one section of the Province, it was bad for all.

Hon. Col. PRINCE thought the Bill a good one, but if Lower Canada did not want it, it should not be forced on her.

Hon. Mr. MORRIS moved in amendment to the amendment that the Bill be not now read a third time.

This amendment was put and carried: Contents, 24; Non-contents, 10.

FOREIGN JUDGMENTS.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill respecting foreign judgments.

The Bill was read a second time, and referred to a Committee of the Whole, Hon. Mr. Crawford in the Chair, and reported with verbal amendments.

FIRST READINGS.

The following Bills were read a first time:

BILL—to regulate the Territorial Division of Upper Canada.

BILL respecting the Consolidated Statutes of Lower Canada.

BILL to diminish the number of Licenses for the sale of Intoxicating Liquors.

BILL for granting a Supply to Her Majesty.

SECOND READINGS.

The following Bills were read a second time:

BILL to incorporate the Upper and Lower Canada Bridge Company.

BILL to amend the Act relating to the separation of the United Counties of York and Peel.

BILL to regulate the Presidency at Parish meetings in Catholic Parishes in Lower Canada.

BILL to amend the Act incorporating the Town of Dundas.

THIRD READINGS.

The following Bills were read a third time:

BILL to Incorporate Mount Hope Institute at London.

BILL—Joint Stock Road Companies.

The SPEAKER left the Chair, it being six o'clock.

[EVENING SESSION.]

COLORABLE TITLES.

Hon. Col. PRINCE presented the report of the Committee on the Bill to afford relief to Innocent occupiers of land.

Hon. Mr. SEYMOUR moved that the Bill be read a third time this day three months.

Hon. Mr. VANKOUGHNET strongly condemned the Bill, as affecting the titles to all the land in Upper Canada.

Sir E. P. TACHE would vote for the three months' hoist.

Hon. Mr. MURNEY also condemned the Bill. In his opinion it was an invasion of sacred rights, and would upset all the landed property in Upper Canada.

The House divided on the amendment, which was carried. Contents, 24. Non-contents, 10.

CONSOLIDATED STATUTES, L. C.

Hon. Mr. VANKOUGHNET moved the second reading of the Consolidated Statutes of Lower Canada.

The Bill was read a second and a third time, and passed.

THIRD READINGS.

The following Bills were read a third time :

BILL to incorporate certain persons under the name of the Upper and Lower Canada Company.

BILL to regulate the presidency at public meetings in Roman Catholic Parishes in Lower Canada.

BILL to incorporate the Village of Victoriaville, in the County of Arthabaska.

BILL to extend to Parishes, Towns and Municipalities, the Act authorizing the establishment of Joint Stock Gas and Water Companies.

SECOND READINGS.

The following Bills were read a second time :

BILL respecting the Territorial Division of Upper Canada.

BILL to amend the several Acts incorporating the City of Montreal.

BILL to restrain the issue of Licenses for the sale of Intoxicating Liquors.

WINTER HARBOR BELOW QUEBEC.

Hon. Mr. TESSIER presented the report of Committee on the establishment of a Winter Harbor below Quebec, which was ordered to be printed for the use of members.

The House then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, May 16, 1860.

Mr. SPEAKER took the Chair at Eleven o'clock, A. M.

REPORT OF COMMITTEE OF SUPPLY.

Hon. Mr. GALT moved the adoption of the report of the Committee of the Whole on Supply.

Hon. Mr. ROSE proceeded to explain the object of the Government in purchasing certain vessels of Mr. Baby, and the nature of the transaction. In 1854 the Government formed a contract with Mr. Baby to provide facilities for towing merchant vessels up the St. Lawrence, from the want of which great inconvenience was at that time experienced. But owing to the fact that valuable cargoes were now brought up the river chiefly by steamboats that necessity no longer existed, and the Government deemed it good policy to cancel their contract, and take the steamers off the hands of the contractors. It was not advisable, however, to dispose of the vessels immediately, as if those boats were taken off the river no means would exist for the performance of the lighthouse service. There were no other vessels at present on the St. Lawrence capable of performing that service, and the attempt last year to hand it over to be performed by private competition had proved a failure. The terms on which the contract was concluded were most favourable to the country. The original cost of the whole five vessels was £90,000 sterling, and they were purchased by the Government, in a condition as good as new, for £56,386. He believed they could now be sold for nearly their original cost. By cancelling this

contract there was an annual saving to the Province of £11,300. It was the intention of the Government to employ these vessels at present in the lighthouse service below Quebec, and occasionally for other purposes. The two largest vessels would supply the lighthouses and also carry freight and passengers. The same services that would be performed by these boats would, had the contract been continued, have cost the Province £25,000 per annum, and under the present arrangement would be performed for about £10,000. It was intended, however, to dispose of the vessels as soon as their merits could be made known where they were likely to be appreciated, and in October next the whole of the vessels would be sold; but it was obviously inexpedient to sell them at a sacrifice or at a time when the services they performed could not be secured by private enterprise.

Hon. Mr. BROWN moved in amendment "that the said Resolutions be not now read a second time; but that it be resolved that this House disapproves of the Government purchasing five steamers from Mr. Baby at a cost of £225,554, and views with regret and alarm the declared intention of the Government to run the said boats, or a part of them, at the expense of the Province.

Hon. Mr. SICOTTE thought it an exceedingly disadvantageous arrangement for the country which had been entered into by the Government. It would have been better for the Government to have allowed the contract to have run out and to have paid the subsidy as it fell due. He had the opinion of Mr. Allan, President of the Montreal Steamship Company, and various merchants in Quebec, that none of the boat, with the exception of the *Lady Head*, were worth more than the iron of which they were constructed, and that it was not possible to render them available for commercial purposes.

Hon. Mr. ROSE said he had had \$5,000 offered for the very worst of the boats no later than yesterday.

Hon. Mr. CAUCHON said the opinion of Mr. Allan in regard to these boats was of very little value, as his experience in shipping had been wholly in relation to another branch of the business.

The House divided.

YEAS:—Messrs. Aikins, Bell, Biggar, Bourassa, Brown, Burwell, Malcolm Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Gould, Harcourt, Howland, Laberge, Laframboise, Loranger, Mattice, A. P. McDonald, McDougall, McGee, McKellar, Mowat, Munro, Notman, Patrick, Walker Powell, James Ross, Rymal, William Scott, Short, Sicotte, Somerville, Wallbridge, White, Wilson, and Wright.—39.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Beauvieu, Benjamin, Buchanan, Burton, J. Cameron, Carling, Caron, Attorney General Cartier, Cauchon, Chapais, Cimon, Daly, Daoust, Dionne, Drummond, Dufresne, Dunkin, Fortier, Fournier, Galt, Gaudet, Gill, Harwood, Heath, Holmes, Labelle, Lacoste, Langevin, Laporte, Lemieux, Loux, Macbeth, Attorney General

Macdonald, McLeod, McCann, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Pope, William F. Powell, Price, Robinson, Roblin, Rose, Dunbar Ross, Richard W. Scott, Sherwood, Simard, Simpson, Sincennes, Tassé, Tett, Thibaudeau, Turcotte, Webb, and Whitney.—63.

The Resolutions were then read a second time.

A Bill founded on the Resolutions was then introduced, and read a first time.

FEUDAL RIGHTS AND DUTIES.

On the motion of Hon. Attorney General CARTIER, the Bill relating to Feudal Rights and Duties was read a third time and passed.

PUBLIC INSTRUCTION.

On motion of Hon. J. A. MACDONALD for the third reading of the Bill for the better promotion of Public Instruction in Upper Canada,

Hon. Mr. CAMERON moved in amendment, that the Bill be not now read a third time, but be read a third time on the first day of the next Session.

The House divided on the amendment.

YEAS:—Messrs. Aikins, Bell, Bourassa, Brown, Burwell, M. Cameron, Clark, Connor, Cook, Dorion, Dorland, Finlayson, Foley, Gould, Harcourt, Howland, Laframboise, Donald A. McDonald, Mattice, A. P. McDonald, McDougall, McGee, McKellar, Mowat, Munro, Notman, Patrick, J. Ross, Short, Somerville, Stirton, Wallbridge, White, and Wright.—34.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Beaubien, Benjamin, Buchanan, Burton, John Cameron, Carling, Atty. Gen. Cartier, Cauchon, Chapais, Cimon, Daly, Daoust, Dionne, Dawson, Dufresne, Dunkin, Fournier, Gaudet, Galt, Harwood, Heath, Labelle, Lacoste, Laporte, Langevin, Loux, Macbeth, Attorney General Macdonald, Solicitor General Morin, McMicken, McCann, MacLeod, Meagher, Morrison, Ouimet, Panet, Playfair, Pope, Wm. F. Powell, Price, Robinson, Roblin, Rose, R. W. Scott, Sherwood, Sicotte, Simard, Simpson, Tassé, Turcotte, and Whitney.—55

The motion for the third reading of the Bill was carried on the same division, and the Bill passed.

REGISTRY OFFICES IN LOWER CANADA.

On the motion of Hon. Atty. Gen. CARTIER, the House went into Committee on the Bill respecting Registry Offices, and Privileges and Hypothecs, in Lower Canada—Mr. Caron in the Chair.

The Committee rose, and reported the Bill without any amendments.

VISIT OF THE PRINCE OF WALES.

Hon. Mr. CARTIER, seconded by Hon. Mr. BROWN, moved that on the auspicious occasion of the expected visit of His Royal Highness the Prince of Wales, an humble Address be presented to him, expressive of the gratification of this House at such visit, and that a select committee, composed of Hon. Messrs. Macdonald,

Galt, Brown, Dorion, and the mover, be appointed to prepare the Address.

The motion was carried unanimously.

The Committee then retired to prepare the Address.

PROTECTION OF GROWING TIMBER.

Hon. Mr. SHERWOOD moved the second reading of the Bill (from Legislative Council) for the further protection of growing timber.

Mr. PLAYFAIR moved in amendment that the Bill be not now read a second time, but be read a second time this day six months.

The House divided on the amendment, which was lost on the following division:—

YEAS:—Messrs. Brown, Burton, Burwell, Clark, Dorion, Drummond, Foley, Gould, Harcourt, Heath, Loux, Donald A. Macdonald, MacLeod, Mattice, McCann, A. P. McDonald, McGee, McKellar, Munro, Notman, Ouimet, Patrick, Playfair, Pope, Walker Powell, Wm. F. Powell, James Ross, Richard W. Scott, Stirton, and Wallbridge.—30.

NAYS:—Messrs. Abbott, Alleyn, Archambault, Baby, Beaubien, Bell, Benjamin, John Cameron, Malcolm Cameron, Caron, Attorney General Cartier, Cauchon, Chapais, Connor, Daoust, Dionne, Dufresne, Dunkin, Fournier, Gaudet, Gill, Harwood, Howland, Labelle, Lacoste, Langevin, Laporte, Lemieux, Macbeth, McDougall, Meagher, Solicitor General Morin, Mowat, Robinson, Roblin, Rose, Dunbar Ross, Rymal, Sherwood, Sicotte, Simard, Tassé, Thibaudeau, Turcotte, Webb, and Wright.—46.

The House then went into Committee, and reported the Bill with some amendments.

HOMESTEAD BILL.

On motion of Mr. A. P. MACDONALD the House again went into Committee on the Bill to exempt Homesteads, and certain other property, under a certain value, from sale under execution.

The Committee rose without reporting.

PREVENTION OF CORRUPTION AT ELECTIONS.

On motion of Mr. MACDOUGALL that the Report of the Committee be adopted on the Bill for the more effectual prevention of corrupt practices at Elections, and to prevent fraud in the voters' lists, and to prevent and punish bribery and other corrupt practices at Elections,

Mr. OUMET moved in amendment that the Report be received this day six months.

The House divided on the amendment, which was lost on the following division:—

YEAS:—Messrs. Alleyn, Benjamin, Burton, Attorney General Cartier, Cauchon, Chapais, Cimon, Coutlée, Daoust, Dawson, Dionne, Dufresne, Dunkin, Fournier, Galt, Gill, Harwood, Heath, Laporte, Macbeth, Attorney General Macdonald, A. P. Macdonald, Meagher, Ouimet, Pope, William F. Powell, Price, Robinson, Roblin, Richard W. Scott, Sherwood, Simpson, Tassé, and Webb.—34.

To be Continued.

THOMPSON'S
MIRROR OF PARLIAMENT.

Being a Report of the Debates in both Houses of the
Canadian Legislature.

3rd Session, 6th Parliament.

Entered according to the Act of the Provincial Parliament, in the year one thousand eight hundred and sixty, by SAMUEL THOMPSON, in the office of the Registrar of the Province of Canada.

LEGISLATIVE ASSEMBLY.

QUEBEC, Wednesday, May 16, 1860.

PREVENTION OF CORRUPTION AT
ELECTIONS.

Continued from our last No.

NAYS:—Messrs. Aikins, Bell, Bourassa, Brown, Burwell, John Cameron, Malcolm Cameron, Clark, Connor, Dorion, Finlayson, Foley, Gaudet, Gould, Harcourt, Howland, Langevin, Lemieux, Loranger, Loux, Donald A. Macdonald, Mattice, McCann, McDougall, McGee, McKellar, Mowat, Munro, Notman, Panet, Walker Powell, Dunbar Ross, James Ross, Rymal, Short, Sicotte, Stirton, Thibaudeau, Wallbridge, White, and Wright.—41.

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

BILLS READ A THIRD TIME AND PASSED.

BILL respecting the application to Cities, of certain provisions of the Assessment Act, applicable also to Counties (from Legislative Council)—Hon. J. A. Macdonald.

BILL to amend the Consolidated Statutes for Upper Canada, chapter 3, known as the Territorial Division Act.—Hon. J. A. Macdonald.

BILL relating to the final abolition of Feudal Rights and Duties.—Hon. Mr. Cartier.

BILLS PASSED THROUGH COMMITTEE
AND READ A THIRD TIME.

BILL to protect the Timber in the Forests of Lower Canada.—Hon. Mr. Cartier.

BILL to extend the Act, respecting the investigation of accidents by Fire, to the country parts.—Hon. Mr. Morin.

BILL in relation to Insurance Companies not incorporated within the limits of this Province, (from Legislative Council).—Hon. Mr. Ross.

BILL respecting Registry Offices and Privileges and Hypothecs in Lower Canada.—Hon. Mr. Cartier.

BILL to amend an Act passed during the present Session, intitled "An Act to restrict interments in a certain Burial Ground in the

City of Quebec," (and amendments).—Mr. Dunbar Ross.

BILL to Incorporate the Town of St. Thomas and to divide the same into Wards, (and amendments).—Mr. McBeth.

BILL for the relief of Henry Lawe and William Ridout, and to authorize the Board of Examiners to examine and admit them as Land Surveyors in Upper Canada, (and amendments).—Mr. Notman.

BILL to divide the Township of Sandwich, in the County of Essex, into two distinct Municipalities, (and amendments).—Mr. McLeod.

BILL relating to the Northern Railway of Canada,—from Legislative Council (Reported).—Mr. Robinson.

BILL relating to the Sale of Land for Taxes in Upper Canada.—Mr. J. Cameron.

BILL to provide for Annual Statistical Returns of Judicial matters (and amendments).—Mr. Piché. The House then adjourned at 12.40.

LEGISLATIVE COUNCIL.

QUEBEC, Friday, May 18, 1860.

[FIRST SITTING.]

Hon. Mr. SPEAKER took the chair at eleven o'clock.

The following Bills were reported from committee and read a third time:

BILL to restrain the issue of licenses for the sale of intoxicating liquors.

BILL respecting Indian Lands in Durham.

BILL to authorize the erection of a Bridge over the River Nicolet.

BILL to amend the act respecting the territorial Division of Upper Canada.

BILL respecting the judicial incorporation of Joint-Stock companies.

TO DIVIDE YORK AND PEEL.

The report of the select committee on the Bill respecting the separation of the united counties of York and Peel was presented and ordered to be taken into consideration at the next sitting of the House.

ADDRESS TO THE PRINCE OF WALES.

Hon Mr. VANKOUGHNET moved that Messrs. Morris, Sir E. P. Tache, and the mover, be appointed a Committee to draft an address to his Royal Highness the Prince of Wales, on the occasion of his approaching visit to Canada.—Carried.

SUPPLY BILL.

Hon. Mr. VANKOUGHNET moved the second reading of the Supply Bill.

The Bill was read a second time. On motion for third reading,

Hon. Mr. MORRIS asked was it not the intention of the Government to refer it to Committee of the Whole.

Hon. Mr. VANKOUGHNET said that such a course was not usual.

Hon. Mr. ALEXANDER moved the following resolution :

Resolved, "That in the opinion of this House it is inexpedient, taking into consideration the heavy charges on the Consolidated Revenue of the Province, to abolish the tolls on merchant vessels, plying on the provincial canals.

Hon. Col. PRINCE thought the resolution out of order.

Hon. Mr. MORRIS, in seconding the resolution, strongly condemned the taxing of the Province for the navigation improvements at Montreal; and expressed a hope that, before next Session, the Council would be accorded its right to amend and originate money Bills.

Hon. Mr. BOULTON rose to a question of order. The resolution was out of order, inasmuch as it was not connected with the subject before the House.

Hon. Mr. SPEAKER decided that Mr. Morris was in order in discussing the subject.

Sir E. P. TACHE thought the House had a right to approve or condemn the policy of the Government in abolishing the tolls.

Hon. Mr. MORRIS went on to condemn the item in the supplies, relative to the resolution, which he had seconded; and the appropriations for the Montreal navigation improvements. He believed that the proposed scheme, while diminishing the revenue of the Province, would not attract a single additional vessel to the traffic of the country. He could not help saying, that in his opinion, the Bill should be committed to a Committee of the Whole.

Hon. Col. PRINCE did not think the Bill should be committed to the Whole; and said that he would be sorry to see the day when the Council could originate money Bills; but he thought that the Council should have some control over supply Bills in the way of amending them, as to objectionable items.

Hon. Mr. ALLAN thought the Council should fill a higher position than registering the Bills passed by the Lower House. He advocated the right of the Council to amend money Bills. He could not help finding fault with the hasty legislation on Bills in the Council, towards the close of the Session; and hoped that before another Session all these evils would be corrected.

Hon. Mr. SEYMOUR thought that, at this time the policy of the Government in abolishing the tolls was inexpedient; but if the principle was conceded, Upper and Lower Canada should be placed on the same footing as regards their canals, and sectional exceptions could not be taken.

Hon. Mr. ARMSTRONG condemned the sectional cries raised by this question.

Hon. Mr. SEYMOUR did not agree with what Mr. Morris had stated, but could not pass over another item in the Supplies, namely the appropriation of \$2000 to Mr. Benjamin for his services in the Printing Committee. He could say, from his own knowledge, that the Printing Committee did not agree to employ Mr. Benjamin; and the paying of him this sum was a most unseemly proceeding.

Hon. Mr. VANKOUGHNET defended Mr. Benjamin, who, he said, had worked very hard, and saved the Province many thousands of dollars. He was a practical printer, and had given up nine months of his time to the subject, last year, and the Government would not therefore oppose any motion which the House might carry for his remuneration.

Hon Mr. SEYMOUR said that all the business of the Committee was done by a contract; and all that was to be done was to see that the measurement of the printing were right.

Hon. Mr. PERRY thought it was not only the right but the duty of the House to reject the Supply Bill, if there was any objectionable item in it; and quoted the action of the Council with the Supply Bill of 1858. With regard to the resolution, he thought that any measure which would tend to cheapen exportation, would benefit agriculture, increase labor, and thus be of the greatest good to the country.

Hon. Mr. ALEXANDER thought it his duty to express the wishes of his constituents, and he could not do so better than by the resolution he had submitted to the House.

Sir E. P. TACHE reviewed the policy of the Government with regard to the canals. They had cost the Province eighteen or twenty millions of dollars. In Lower Canada it was not thought from the beginning that they would cost so much. It was said that in sixty years the good of the canals would be apparent by the introduction of the golden age; but it had not come yet. The canals had proved a failure. They had not brought about any good for the Province, as regards the value of its produce. Before the construction of the canals in Upper Canada, wheat was worth 1s. 8d to 2s.; as the canals were made the price of produce increased dreadfully instead of lowering as was predicted by the increased facilities of transportation. He believed, however, that the canals were necessary, and that in a national point of view they should be opened or aided to be opened by Lower Canada. If they had not been opened, he believed that Western Canada would have to annex itself to the United States. The great mass of the people of Canada were agricultural, and he was sorry to say that this class was not

legislated for as it should, or in the same proportion as trade and navigation were. It was a bad policy, also, to force Lower Canada to pay for the repair and maintenance of those canals. He advocated the applying of every means for the extension of colonization, and was sorry to see that the grant of the Government this year for that purpose, was reduced instead of kept up. It was said that there had been an over amount of importation this year, and consequently a large custom duty; next year, however, it was natural that there might be a falling off, and was it a proper way to meet a deficiency to do away with the canal dues.— He always opposed the taking the public money for the improvements of the harbour of Montreal, and the deeping of Lake St. Peter. Montreal should make those improvements herself, and should not allow herself to be made by artificial means. The deeping of Lake St. Peter had cost £170,000, and was done for the interest of Montreal. He did not envy Montreal; but he could not help saying that an additional debt of £183,000 had been added to the public debt for improvements at and around that city. And this too in view of an increase of £300,000 to be added to the burthen of the Province. This, he was afraid; must lead to bankruptcy of the country. It could not but lead to direct taxation, without a doubt. And the whole weight of the burthens of the country, would, in that case, be placed on the farmers. This class would naturally say that the legislature had not granted aid for the opening up of the country, and would feel it hard, that in consequence of their very aid they should be called on to discharge the heavy burthen of a direct taxation. Thus farmers could say with a great deal of justice, that while £183,000 was given to the improvements of Montreal navigation, only £12,000 had been given for the purposes of colonization. He hoped that his expectations would not be realized; but he was afraid that nothing would be gained by the abolition of the tolls. If he was mistaken he would be the first to make the *amende honorable*. But he could not help thinking that the country was fast drifting towards direct taxation, and he would oppose any policy which would tend to bring about such a deplorable state of things.

Hon. Mr. MORRIS drew the attention of the House to the fact, that in 1840 and 1841 the Council had gone into Committee on the Supply Bill, thus establishing a precedent for the former motion.

Hon. Mr. VANKOUGHNET said that the reason of that was, that the then Council desired to alter the Supply Bill.

Hon. Mr. TESSIER contended that it was not fair to such appropriations as the one to Mr. Benjamin into the Supply Bill. Such Bills ought to be introduced in as Separate Bills, and then they could be disposed of by the Council without all the supplies being affected. He contended that at the present time, when several millions of pounds had been given for the construction of railroads in the Province, the Grand Trunk

among others, it was not proper to pursue this policy. Such a policy might have been pursued before there were any railroads built in the Province; but it was out of place now. There was no reason why the Province should undertake to pay for the deepening of Lake St. Peter. It was for the interest of Montreal that this work should not be done at the provincial expense. The largest city in the Province, surely, should be able to improve its own harbour; and the inhabitants ought to condemn any offer of public aid, as a reflection on the public spirit. It was unjust to relieve Montreal in the way proposed.

Hon. Mr. VANKOUGHNET looked on the deepening of Lake St. Peter as just as much a national work as the Welland Canal.

Hon. Mr. TESSIER would refer to the free tolls. He did not see any great good to be derived from the abolition of tolls. One of the consequences of it, he thought, would be to make the United States repeal the Reciprocity Treaty. (Cries of "No, no.") He would not dwell on this point; but he would object decidedly to the measure, and to the introduction of such items into the Supply Bill.

Hon. Mr. CRAWFORD renewed the point of order, raised by Mr. Boulton.

Hon. Mr. SPEAKER decided that the resolution was out of order. It was not an amendment to the Supply Bill, and did not affect it at all.

Hon. Mr. VANKOUGHNET appealed to the House to confirm him in the statement that the Government had always redeemed their pledges, even at the peril of their existence. With regard to the appropriation for Navigation, Quebec would be benefitted by it as well as Montreal. He did not desire to check discussion on any point; but he must say that this was not the time to discuss the subject of the resolution. It had no connection with the Supply Bill, and if carried, would not in the slightest degree affect that Bill. He would, therefore, support the ruling of the Speaker.

The Bill was read a third time and passed.

FIRST READINGS.

The following Bills were read a first time:

BILL to amend the Upper Canada Common School Act.

BILL further to protect the Forests in Lower Canada.

BILL to extend the Act respecting the investigation of Accidents by Fire in Country parts.

BILL respecting Land Surveyors.

BILL to amend the Act respecting the Municipal Institutions in Upper Canada.

BILL to incorporate the Town of St. Thomas.

BILL for the more effectual prevention of Corrupt Practices at Elections.

It being now two o'clock, the House adjourned till three o'clock, p. m.

[SECOND SITTING.]

Hon. Mr. SPEAKER took the Chair at three o'clock.

THIRD READINGS.

The following Bills were read a third time :
BILL to continue for a limited time, equal Acts and Ordinances therein mentioned, and for other purposes.

BILL to amend the Act relating to the incorporation of the Town of Dundas.

BILL respecting the Niagara and Detroit Rivers Railroad Company.

SUPERANNUATION BILL.

Hon. Mr. BOULTON hoped that this Bill would not be urged by the Government this Session, as he could not find it in his conscience to support it, without further information respecting it.

Hon. Mr. MURNEY would also be forced to vote against the Bill if brought in during the present Session. He required time to consider it; and he thought that the House desired time to consider it also. He also complained of the outside influence brought to bear on Hon. gentlemen by employees to be benefitted by this Bill.

Hon. Mr. MATHESON also desired time to consider this Bill. He was in favor of the Bill, but hoped that it would not be brought up this Session, at the present late period of it.

Hon. Mr. PERRY thought that by postponing the Bill, the House would be better prepared to discuss it next Session. In the time between this and then, the Bill could be amended so as to make it more acceptable.

Hon. Sir E. P. TACHE opposed the Bill. If the public officers could not be induced to act in a provident manner, otherwise than by the coercion of an Act of Parliament, that course might be pursued. But it was a different thing when the country was called on to provide for the officers after they had left the service. It should be shown, as it was contended was the case, that the pensions would not be supplied by the country, and that they would be supplied by the officers themselves.

Hon. Col. Prince contended that the Bill was founded on just, true and equitable principles. It was not a pension Bill. That name was a stain on it. It was a Bill to enable the employees of the Government to tax themselves for their own support in their old age. He could mention the case of a gentleman in the Indian department who had become deranged from the labor of his office; and pointed out that under this Bill he would receive an annuity, and in case of his death, his wife and family would receive a proportionate annuity. He appealed to the generosity and liberality of the House to sustain the Government in this Bill. At the same time he would rather the Bill should be withdrawn than thrown out.

Hon. Mr. VANKOUGHNET could show the House that the proposed scheme would cost the country less than the present system was costing it. However, he did not wish to force the measure on the House. It was not one of those questions which involved the interests of the Province, or which would warrant him in push-

ing it through at any risk. The House admitted the propriety of making provision for the old officials, and delay was only asked for in order that Hon. gentlemen might consider the Bill more fully than they could at the present late period of the Session. He would therefore yield to the wish of the House thus expressed, and withdraw the Bill. At the same time he did not think that he was thereby exhibiting any mark of cowardice, (hear, hear) or any sign of weakness. (Hear, hear.) Before sitting down he would remark that the House seemed to take a wrong view of the Bill. It was not a pension Bill, as his Hon. friend had remarked. It was a Bill desired by nine-tenths of the employees themselves—and the same right ought to be extended to them that was extended to an Insurance Company, which asked for incorporation with power to manage their own affairs. This fund would be self-supporting when once the country had given the necessary aid to start it; and this necessary aid could not be refused, as it would not be fair to call on the clerks themselves to bear the burthen of starting it. When once the fund was started it would be self-sustaining. Out of a single department, he had been informed, twenty thousand dollars could be saved under the Bill. He hoped that during the recess Hon. gentlemen would think over these things, and that next Session they would be able to give that support to the Bill which it deserved.

Hon. Mr. BOULTON expressed his pleasure that the Hon. Commissioner of Crown Lands had yielded to the wishes of the House, and withdrawn his Bill.

The Bill was then withdrawn.

FEUDAL RIGHTS AND DUTIES.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill for the final abolition of Feudal Rights and Duties.

The Bill was read a second time and referred to a Committee of the Whole, from which it was reported without amendment.

The Bill was then read a third time.

TIMBER IN LOWER CANADA.

Hon. Mr. VANKOUGHNET moved the second reading of the Bill further to protect Timber in the forests of Lower Canada.

The Bill was read a second time and referred to a Committee of the Whole.

The Bill was reported without amendment, and read a third time.

SECOND READINGS.

The following Bills were read a second time :
BILL respecting the Municipal Institutions of Lower Canada.

BILL respecting Registration Offices, Privileges, &c., in Lower Canada.

BILL to incorporate the Town of St. Thomas.
BILL to extend the Act respecting the investigation of accidents by fire to country parts.

YORK AND PEEL.

Hon. Col. PRINCE moved for the consideration of the amendments of the Committee on

the Bill to amend the Act providing for the separation of the County of York from the County of Peel, and to provide for the selection of a County Town. The Honorable gentleman contended that the Committee had exceeded their duty in introducing an amendment with reference to the separation of those Counties, which had already been provided for, and with which the Bill had nothing at all to do, and which in point of fact destroyed the Bill altogether.

Hon. Mr. ALEXANDER contended that nothing could be fairer than to leave the matter in the hands of a majority of the rate-payers, which was the effect of the amendment. It provided in the first place to leave it to the rate-payers to vote for the separation of the United Counties; and in the next place to leave it with them to choose the County Town.

Hon. Mr. CRAWFORD hoped that the House would strike out the amendment, and pass the Bill as it came from the Lower House, which, he was sure, was what the people of the County of Peel wanted.

Hon. Col. PRINCE raised the point of order whether the Committee could amend the Bill as they had done.

Hon. Mr. SPEAKER decided that they could not.

The amendment was then discarded, and the Bill, as it originally came from the Assembly, read a third time.

ADDRESS TO HIS ROYAL HIGHNESS THE PRINCE OF WALES.

Hon. Mr. VANKOUGHNET, seconded by Sir E. P. TACHE, moved the adoption of the following Address to His Royal Highness the Prince of Wales, which it is the intention of the Council to present to him on the occasion of his approaching visit. The Address was received with cheers, and adopted.

May it please Your Royal Highness :

We, the Legislative Council of Canada, in Parliament assembled, approach Your Royal Highness with renewed assurances of our attachment and devotion to the person and Crown of Your Royal Mother, our beloved Queen.

While we regret that the duties of State should have prevented Her Majesty from visiting this extensive portion of Her vast Dominions, we loyally and warmly appreciate the interest which she manifests in it, by deputing to us, Your Royal Highness, as Her representative; and we rejoice, in common with all Her subjects in this Province, at the presence among us, of him, who at some future, but we hope distant day, will reign over the Realm, wearing with undiminished lustre, the Crown which will descend to him.

Though the formal opening of that great work, the Victoria Bridge, known throughout the world, as the most gigantic effort in modern times, of Engineering skill, has been made a special occasion of Your Royal Highness's visit, and, proud as are Canadians of it, we yet venture to hope, that you will find in Canada, many other evidences of greatness and progress, to interest you in the welfare and advancement of your future subjects.

Enjoying, under the institutions guaranteed to us all, freedom in the management of our own affairs, and, as British subjects, having a common feeling and interest in the fortunes of the Empire, its glories and successes, we trust, as we believe, that this visit of Your Royal Highness will strengthen the ties which bind together, the Sovereign, and the Canadian people.

CORRUPTION AT ELECTIONS.

Hon. Mr. SIMPSON moved the second reading of the Bill further to provide against corrupt practices at Elections.

Hon. Col. PRINCE condemned the present system of conducting elections—of which, he said, himself was a great sufferer in pocket. He objected, however, to that clause of the Bill which provided that the candidate should take an oath that neither he nor his agents had made use of bribery.

The Bill was read a second time and referred to a Special Committee.

THIRD READINGS.

BILL to incorporate the Town of St. Thomas.
BILL to authorize the Board of Examiners of Land Surveyors to admit certain gentlemen.

Hon. Mr. SPEAKER then left the Chair.

[EVENING SESSION.]

Hon. Mr. SPEAKER took the Chair at Seven o'clock.

NORTHUMBERLAND AND DURHAM.

Hon. Mr. BOULTON moved the second reading of the Bill to provide for the separation of the United Counties of Northumberland and Durham.

Hon. Mr. PERRY opposed the Bill. The inhabitants of those Counties did not desire a separation. He would move, therefore, that the Bill be read a second time this day three months.

Hon. Mr. SIMPSON seconded the amendment. This Bill had been thrown out of the Council often before. The people did not desire it, and he appealed to the House to throw it out again.

Hon. Mr. CRAWFORD supported the Bill.

Hon. Mr. BOULTON was astonished at the opposition to the Bill. It was petitioned for, and he hoped the House would grant it. He could not conceive on what grounds it was opposed. He hoped the Bill would pass.

The House divided on the amendment, which was carried. Contents, 15; non-contents, 9.

THIRD READINGS.

BILL to extend the Act respecting accidents by fire to country places.

BILL to remove doubts as to By-laws respecting Fences and Ditches.

BILL respecting Municipalities in Lower Canada.

BILL respecting Registry Offices, Privileges, and Hypothecs in Lower Canada.

BILL further to prevent corrupt practices at Elections—amended by the oath clause being struck out.

The Council then adjourned.

LEGISLATIVE ASSEMBLY.

QUEBEC, Friday, May 18, 1860.

Mr. SPEAKER took the Chair at 11 o'clock a. m.

MEMBER INTRODUCED.

Mr. SPEAKER informed the House that he had received the indenture of the election of Pierre G. Huot, Esq., to represent the electoral division of Quebec East.

Mr HUOT was introduced, and took his seat.

ADDRESS TO THE PRINCE OF WALES.

The Select Committee appointed to prepare an Address to the Prince of Wales, on the occasion of his visit to Canada, reported the following Address:—

May it please Your Royal Highness:

We, the Legislative Assembly in Parliament assembled, approach Your Royal Highness with assurances of our devoted attachment and loyalty to the Person and Crown of our Most Gracious Sovereign.

The Queen's loyal subjects in this Province would have rejoiced had the duties of State permitted their August Sovereign to have herself visited their country, and to have received in person the expression of their devotion to Her, and of the admiration with which they regard the manner in which She administers the affairs of the vast Empire over which it has pleased Divine Providence to place Her.

But while we cannot refrain from expressing our unfeigned regret that it has proved impossible for our Queen to visit Her possessions in Canada, we are deeply sensible of Her gracious desire to meet the wishes of Her subjects, by having permitted them the opportunity of welcoming, in this part of Her Dominions, the Heir Apparent of the Throne, our future Sovereign.

We desire to congratulate Your Royal Highness on your arrival in Canada, an event to be long remembered as manifesting the deep interest felt by the Queen, in the welfare of Her Colonial subjects.

On this auspicious occasion, when for the first time, the Colonies have been honoured by the presence of the Heir Apparent, we receive an earnest of the determination of our Most Gracious Sovereign, to knit yet more closely, the ties of affection and duty which unite us to the British Empire, and enable us to share in its liberties, its glories, and its great historical association.

The approaching opening of the Victoria Bridge, by Your Royal Highness, has been the more immediate cause of Your present visit to Canada, and we trust You will find in that stupendous work, the most striking evidence of the manner in which the capital and skill of the Mother Country, have united with the energy and enterprize of this Province, in overcoming natural obstacles of the most formidable character; but we trust that in your further progress, Your Highness will find, in the peace and prosperity of the people, and in their attachment to their Sovereign, the best proof of the strength of the ties which unite Canada to the Mother Country,

and of the mutual advantages to the Empire, and to the Colony, from the perpetuation of a connection which has been fraught with such great and beneficial results.

We pray that Your Royal Highness may be pleased to convey to our Most Gracious Queen the feelings of love and gratitude with which we regard Her rule, and especially of Her condescension in affording us this occasion of welcoming Your Royal Highness to the Province of Canada.

On motion of Honorable Mr. CARTIER, it was ordered, that said Address be presented to His Highness the Prince of Wales, by Mr. *Speaker*, with the Mace, attended by such Members of the House, as may be present on the occasion.

The Order of the Day being read for the House to go into Committee in relation to the expenditure in connection with the visit of His Royal Highness the Prince of Wales,

Hon. Mr. BROWN moved, in amendment, that it be an instruction to the said Committee to limit the sum to be placed at the disposal of the Governor-General for the said purpose.—Negatived on a Division.

The House then went into Committee, and passed a Resolution, which was reported and agreed to, as follows:— "*Resolved*, That an humble Address be presented to His Excellency the Governor General, praying that he will be pleased to authorize the expenditure that may be required in connection with the approaching visit of His Royal Highness the Prince of Wales, and assuring His Excellency that this House, at the next Session of Parliament, will make good the same."

REGISTRY OFFICES IN LOWER CANADA.

Hon. Mr. CARTIER moved, the third reading of the BILL respecting Registry Offices, and privileges and hypothecs in Lower Canada.

Hon. Mr. LORANGER moved, in amendment, that it be read a third time this day six months:—Yeas, 18; Nays, 54.

Yeas:—Messrs. Bell, Bourassa, Brown, Burwell, Connor, Cook, Laframboise, Lemieux, Loranger, Mattice, A. P. McDonald, McGee, McKellar, Munro, Notman, Patrick, Dunbar Ross, and White.

Nays:—Messrs. Abbott, Alleyn, Baby, Benjamin, Buchanan, Burton, John Cameron, Carling, Caron, Attorney General Cartier, Cauchon, Cimon, Coutlée, Daly, Daoust, Dawson, Dionne, Dufresne, Ferres, Fournier, Galt, Gill, Harwood, Heath, Howland, Labelle, Lacoste, Langevin, Laporte, Le Boutillier, Loux, Macbeth, Attorney General Macdonald, MacLeod, McCann, McDougall, McMicken, Meagher, Solicitor General Morin, Morrison, Ouimet, Panet, Playfair, Price, Roblin, Rose, Richard W. Scott, Sherwood, Sicotte, Simard, Simpson, Starnes, Tassé and Turcotte.

The BILL was then read the third time, and passed.

BILLS READ A SECOND AND THIRD TIME, AND PASSED.

BILL (from the Legislative Council), intituled: "An Act to restrain Municipalities from issuing debentures beyond a certain amount."

BILL (from the Legislative Council), intituled: "An Act to extend the jurisdiction of the County Courts."

BILL to separate the United Counties of Northumberland and Durham.

BILL to amend the Act 20 Vic., cap., 125, respecting the Quebec Turnpike Roads.

BILL to amend the Act 18 Victoria, cap. 115, respecting the registration of the Articles of Law Students, and for other purposes therein mentioned.

BILL (from Legislative Council), intituled: "An Act to exempt certain articles from Seizure in satisfaction of Debts.

BILL (from Legislative Council), intituled: "An Act for the better protection of Game in Upper Canada."

BILL (from the Legislative Council), intituled: "An Act to amend the Act respecting Joint Stock Companies for Manufacturing and other purposes."

BILL to continue for a limited time, the several Acts and Ordinances therein mentioned.

BILL to Consolidate the Acts respecting Municipalities and Roads in Lower Canada.

BILL to legalize certain proceedings by Road Inspectors and Overseers.

BILL for quieting the titles to Real Estate in Upper Canada, was read the second time.

BILL (from the Legislative Council), intituled: "An Act in amendment of the Railway Act."

BANK OF ISSUE.

The Order of the Day for the House to go into Committee to consider certain proposed Resolutions relative to a Bank of Issue, was discharged. The House then adjourned, at 9.50, P. M.

LEGISLATIVE COUNCIL.

QUEBEC, Saturday, May 19, 1860.

Hon. Mr. SPEAKER took the Chair at 11 o'clock.

SECOND READINGS.

The following Bills were read a second time:

BILL—Law Students Articles Registration.—

Hon. Mr. *Panet*.

BILL—For quieting titles to real estate in U.C.

THIRD READINGS.

BILL—Municipal and Road Act, Lower Canada.

—Honorable Mr. *Vankoughnet*.

BILL—Quebec Turnpike Roads.—Honorable Mr. *Panet*.

BILL—Quebec Interments Restriction Amendment.—Honorable Mr. *Tessier*.

BILL—Law Students Articles Registration.—Honorable Mr. *Panet*.

BILL—Titles to Real Estate, quieting, Upper Canada.—Honorable Mr. *Boulton*.

The Council then adjourned.

PROROGATION OF PARLIAMENT.

QUEBEC, Saturday, May 19, 1860.

This day, at two o'clock, p. m., HIS EXCELLENCY THE GOVERNOR GENERAL proceeded in state to the Chamber of the Legislative Council, in the Parliament Building. The members of the Legislative Council being assembled, His Excellency was pleased to command the attendance of the Legislative Assembly, and that House being present, the following Bills were assented to in Her Majesty's name by His Excellency the Governor General, viz.:

An Act to incorporate the St. George's Society of Montreal.

An Act to amend the Act intituled, "An Act to incorporate the Village of New Hamburg, in the County of Waterloo."

An Act to establish the Concession Line between Gore A and the Eighth Concession of the Township of Grimsby.

An Act to authorize the sale of the site of St. George's Church, in the Town of Guelph, in the County of Wellington, the acquisition of another site in lieu thereof, and the raising money by mortgage on the latter, for the purposes of erecting a new Church thereon.

An Act to consolidate the Debt of the Town of Bowmanville.

An Act to amend the Act for the incorporation of the International Bridge Company.

An Act to incorporate La Communauté des Filles de Ste. Anne, of the Parish of St. Jacques, l'Achigan, District of Joliette, for the purposes of Education.

An Act to incorporate the College of Three Rivers.

An Act to provide for the payment, by certain Municipalities, in the United Counties of Northumberland and Durham, in which certain gravelled roads have been constructed by the said United Counties, of a fair amount for the construction of such roads, and to vest the roads in the said Municipalities.

An Act to declare the mode in which the Side Lines in the First Concession, old survey, of the Township of Cumberland, in the County of Russell, shall be run.

An Act respecting the Trade with Foreign Countries.

An Act to amend "An Act respecting Barristers at Law."

An Act to amend an Act respecting the Law Society of Upper Canada.

An act to amend an Act respecting Attorneys at Law.

An Act to regulate the removal of causes from County Courts.

An Act to extend the periods allowed to the Montreal Telegraph Company for extending their Line to the Atlantic Coast, and across the Atlantic.

An Act to amend the tenth sub-section of the ninth section of the fifty-fifth chapter of the Consolidated Statutes for Upper Canada, respecting the Assessment of property in Upper Canada.

An Act to repeal certain provisions of "the Common Law Procedure Act."

An Act to incorporate the Academy of St. Romuald de Farnham.

An Act to amend the Members' Indemnity Clauses of the Act forming Chapter Three of the Consolidated Statutes of Canada.

An Act to amend the Act incorporating the Ladies of the Protestant Orphan Asylum of Montreal.

An Act to amend the ninth chapter of the Consolidated Statutes of Canada, intituled, "An Act respecting Civilization and Enfranchisement of certain Indians."

An Act to repeal the Acts incorporating the Toronto Mechanics' Institute, and to permit the said Institute to be incorporated under the General Act incorporating Mechanics' Institutes.

An Act to incorporate "The Melbourne Female Seminary."

An Act to enable the New City Gas Company of Montreal to increase their Capital Stock.

An Act to confirm certain Side Roads in the Town of Vaughan, and to provide for the defining of other road allowances and lines in the said Township.

An Act to enable the Rector and Church-wardens of the Church of Saint Paul, at Woodstock, to sell certain lands belonging to the said Church.

An Act to incorporate the Drummond and Arthabaska Counties Railway Company.

An Act for incorporating and granting certain powers to the British American Investment Company.

An Act to incorporate the South-Eastern Mining Company of Canada.

An Act to restrict interments in a certain Burial Ground in the City of Quebec.

An Act to amend Chapter fifty-eight of the Consolidated Statutes of Canada, as regards the investment of money by Insurance Companies.

An Act to amend the Act incorporating the Saint Lawrence Mining Company.

An Act to incorporate the Annuity and Guarantee Funds Society of the Bank of Montreal.

An Act respecting Free Ports of Entry.

An Act to authorize the Corporation of the City of Montreal to acquire a site upon which to erect a Terminus for the Grand Trunk Railway of Canada.

An Act to provide for the Election of Officers and Directors of the County of Missisquoi Agricultural Society, for the year one thousand eight hundred and sixty.

An Act to incorporate the President and Trustees of the Common of Berthier.

An Act to incorporate the British American Manufacturing Company.

An Act to amend the Act respecting the Representation of the People in the Legislative Assembly, and the Act respecting the Territorial Division of Upper Canada.

An Act further to amend the Act incorporating the Brockville and Ottawa Railway Company.

An Act to enable Alexander Donald Austin, Eneas Macdonnell and others, to sell and convey certain lands to Thomas Galt, notwithstanding their disability.

An Act to incorporate the St. Patrick's Literary Association of Montreal.

An Act to confer certain powers upon the Local Municipality of Grantham, Wendover and Simpson, in the County of Drummond, in respect of the Bridge at Drummondville, over the River St. Francis.

An Act to provide for the consolidation and liquidation of certain debts of the Town of Guelph not affected by the Act respecting the Consolidated Municipal Loan Fund.

An Act to establish and confirm certain Side Lines of Lots in the Township of Clarendon, in the County of Pontiac.

An Act to incorporate the Village of Merrickville, in the County of Grenville.

An Act to incorporate the Ottawa Board of Lumber Manufacturers.

An Act to incorporate the General Hospital of the District of Richelieu.

An Act to incorporate the Windsor Improvement Company.

An Act to amend and consolidate the Acts forming the Charter of the Gore Bank.

An Act to incorporate the Town of Sorel.

An Act to incorporate the Chambly Navigation Company.

An Act respecting the Line of Division between Upper and Lower Canada.

An Act to amend an Act respecting the Municipal Institutions of Upper Canada.

An Act respecting the Ninety-Sixth Chapter of the Consolidated Statutes for Upper Canada respecting the apprehension of Fugitive offenders in Foreign Countries.

An Act for the incorporating and granting certain powers to the Agricultural Loan Association of Canada.

An Act to amend an Act intituled, "An Act for the construction of Water Works in the City of Hamilton."

An Act to incorporate the "St. Lawrence North Shore Navigation Company."

An Act to annex the Local Municipality of Notre Dame du Portage to the Municipality of the County of Témiscouata.

An Act to revive and extend the Charter of the St. Lawrence Inland Marine Assurance Company.

An Act to incorporate certain persons under the name of "The Terrebonne and L'Assomption Navigation Company."

An Act to incorporate the St. Bridget's Asylum Association of Quebec.

An Act to repeal the Act intituled: "An Act to incorporate the Sherbrooke Manufacturing Company," and to incorporate "The Sherbrooke Cotton Manufacturing Company."

An Act to amend the Acts relative to the Montreal and Champlain Railroad Company.

An Act to amend the Act intituled: "An Act to incorporate the Montreal Mining Company."

An Act to amend and extend the Act to incorporate the Carillon and Grenville Railway Company.

An Act respecting certain Duties of Customs.

An Act respecting Trade-Marks.

An Act to incorporate the Association of Provincial Land Surveyors, and Institute of Civil Engineers.

An Act to make further Provision for the Safety of Passengers by Steamboats.

An Act to amend Chapter Ninety-five of the Consolidated Statutes of Canada," intituled: "An Act respecting Lotteries."

An Act relating to the Port Burwell Harbour.

An Act to incorporate the Pilots for and below the Harbour of Quebec.

An Act concerning the Inspection of Flour and Meal.

An Act to alter and amend the Act Incorporating the Mechanics' Institute of Montreal.

An Act to incorporate the Village of Terrebonne as a Town.

An Act respecting certain Ordnance Land Reserves in Upper Canada.

An Act further to amend the Act Incorporating the City of Three Rivers.

An Act to annex to the County of Lévis, for Registration purposes, that part of the Parish of St. Joseph de la Pointe Levy, formerly included for Electoral purposes, in the County of Bellechasse.

An Act to amend the Act Twentieth Victoria, chapter one hundred and fifty-four, in reference to the Eastwood and Berlin Railway Company.

An Act to remove doubts as to the validity of By-law number three hundred and nine of the Corporation of the City of Toronto, and of certain Debentures issued thereunder.

An Act for the protection of the Quebec Water Works.

An Act to amend the Acts relating to the Hamilton and Port Dover Company.

An Act to incorporate the Congregational Ministers' Widows' and Orphans' Fund Society.

An Act to amend the Law of Replevin in Upper Canada.

An Act to amend the Laws respecting the Notarial Profession.

An Act to confirm the present Side Lines and Side Roads in the Third, Fourth and Fifth Concessions in the Township of Beverly.

An Act to extend to Parish and Township Municipalities the Acts authorizing the establishment of Joint Stock Gas and Water Companies.

An Act respecting the Consolidated Statutes for Lower Canada.

An Act to regulate the Presidency at Fabrique Meetings in the Catholic Parishes of Lower Canada.

An Act for incorporating the Village of Victoriaville, in the County of Arthabaska.

An Act to erect the parochial sub-division of St. Hubert, in the parish of St. Antoine de Longueuil, in the County of Chambly, into a separate Municipality.

An Act concerning the Administration of Justice in Lower Canada.

An Act respecting the Boards of Arts and Manufactures.

An Act to amend the "Lower Canada Game Act."

An Act respecting the Application to Cities of certain provisions of the Assessment Act applicable also to Counties.

An Act to incorporate the Town of Ingersoll, and to divide the same into Wards.

An Act to incorporate the "Mount Hope Institute" at London.

An Act to incorporate certain persons under the name of the "Upper and Lower Canada Bridge Company."

An Act respecting Foreign Judgments and Decrees.

An Act to divide the Township of Sandwich, in the County of Essex, into two distinct Municipalities.

An Act relating to the Northern Railway of Canada.

An Act relating to the Sale of Land for Taxes, in the United counties of Peterborough and Victoria.

An Act to amend Chapter forty-nine of the Consolidated Statutes for Upper Canada, respecting Joint Stock Road Companies

An Act for the further protection of Growing Timber.

An Act to amend and extend the provisions of the Act Twenty-second Victoria, chapter seventy-four, relating to the Town of Dundas.

An Act respecting the judicial Incorporation of Joint Stock Companies for certain purposes.

An Act to continue for a limited time the several Acts and Ordinances therein mentioned, and for other purposes.

An Act in relation to Fire Insurance Companies not incorporated within the limits of this Province.

An Act to extend the Jurisdiction of the County Courts.

An Act for the relief of Lawe and William Ridout, and to authorize the Board of Examiners to examine and admit them as Land Surveyors in Upper Canada.

An Act to diminish the number of licenses issued for the sale of Intoxicating Liquors by retail.

An Act respecting the Indian Lands in the Township of Durham, in the County of Drummond.

An Act to amend An Act respecting the Territorial Division of Upper Canada.

An Act to authorize Joseph Ovide Rousseau to construct a Toll Bridge over the River Nicolet, opposite the Church of the Parish of Nicolet, in the County of Nicolet.

An Act for granting to Her Majesty certain sums of money required for defraying certain expenses of the Civil Government for the year 1860, and for certain other expenses connected with the public service, and also for raising a Loan on the credit of the Consolidated Revenue Fund.

An Act to amend the Act twenty-second Victoria, chapter ninety, in reference to the Niagara and Detroit Rivers Railway Company.

An Act respecting the final abolition of Feudal Rights and Duties.

An Act further to protect timber in the forests of Lower Canada.

An Act to amend the Act providing for the separation of the County of Peel from the County of York, and to provide for the selection of the County Town of the County of Peel.

An Act to incorporate the Town of St. Thomas.

An Act for the better protection of Game in Upper Canada.

An Act to amend the Act respecting Joint Stock Companies for manufacturing and other purposes.

An Act to exempt certain articles from seizure in satisfaction of Debts.

An Act in amendment of the Railway Act.

An Act to extend the Act respecting the investigation of Accidents by fire, to the Country parts.

An Act to amend the Act eighteenth Victoria, chapter one hundred and fifteen, respecting the registration of the Articles of Law Students, and for other purposes therein mentioned.

An Act to amend the Act eighteenth Victoria, chapter one hundred and sixty, respecting the Quebec Turnpike Roads.

An Act to remove all doubts as to the validity of certain By-laws or *Procès-Verbaux* passed under the authority of Inspectors of Fences and Ditches.

An Act respecting Municipalities and Roads in Lower Canada.

An Act respecting Registry Offices, and Privileges and Hypothecs in Lower Canada.

An Act to amend an Act passed in the present Session, intitled: An Act to restrict interments in a certain Burial Ground in the City of Quebec.

An Act to provide for Annual Statistical Returns of Judicial Matters.

An Act to amend the Upper Canada Common School Act.

An Act to amend the provisions of the several Acts for the Incorporation of the City of Montreal.

An Act for the more effectual prevention of corrupt practices at Elections.

SANCTIONED 23D APRIL, 1860.

An Act to grant additional aid to the Canadian Line of Steamers, and for the extension of the Line of Telegraph to Belle-Isle.

An Act respecting the sale and management of the Public Lands.

An Act to remove doubts as to the validity of Marriages solemnized in Lower Canada by the Religious Society of Friends commonly called Quakers, and for other purposes.

An Act to divide the Township of Windsor, in the County of Richmond, into two distinct Municipalities.

An Act to establish a Standard Weight for Hay and Straw.

An Act to Incorporate the Art Association of Montreal.

An Act to incorporate the Compton High School.

An Act to provide for the election of the Speaker of the Legislative Council.

An Act to consolidate the Debt of the County of Middlesex.

An Act to amend the Chapter Seventeen of the Consolidated Statutes for Upper Canada, as regards the appointment of Constables.

An Act to amend the Act respecting the Representation of the People in the Legislative Assembly.

An Act relating to the Sinking Fund for the redemption of the Imperial Guaranteed Loan.

An Act to prevent the unlicensed sale of Intoxicating Liquors in the Unorganized Tracts in this Province.

After which HIS EXCELLENCY THE GOVERNOR GENERAL was pleased to reserve the following Bill for the signification of Her Majesty's pleasure thereon.

An Act respecting the Management of the Indian Lands and Property.

The SPEAKER of the Legislative Assembly, then presented the Supply Bill, and spoke as follows:—

May it please Your Excellency:

"We, Her Majesty's dutiful and loyal subjects, the Commons of Canada, attend Your Excellency with our Bill of Supply for the service of the current year.

"Among the subjects which have engaged your attention during the Session, the commercial interests of the Province have occupied a prominent place.

"With an earnest desire to obtain for Canada her share in the advantages derivable from the great and increasing trade between the old and new worlds, we have largely augmented our subsidy to the ocean steamships plying between the ports of the St. Lawrence and the mother country.

"We have also agreed to remove the tolls heretofore levied on vessels availing themselves of our internal communications on this great highway, in order to afford additional facilities to ships navigating the rivers and lakes of Canada, and to abolish the restrictions heretofore imposed on the free passage of commerce by way of the St. Lawrence.

"We congratulate Your Excellency on the completion of the great project of consolidating our Statute Law, on the enactment of the Act for the consolidation of the Statutes of Lower Canada. In connection with this branch of our labors, we have, during the course of the pre-

sent Session, brought to maturity two important Statutes affecting Lower Canada, one for the consolidation of the Municipal Law, the other to make further provision for the Administration of Justice therein.

"Looking forward with pride and satisfaction to the approaching visit to Canada of the eldest son of our beloved Queen, we have authorized Your Excellency to incur whatever expense may be necessary for the suitable entertainment of His Royal Highness, as the guest of this Province, and we rejoice at the prospect which has been afforded to us of meeting together to welcome in person this illustrious Prince, and of expressing the sentiments of loyalty and affection to our Sovereign, Her Throne and family, which so eminently characterize the people we represent.

"I have now to offer to Your Excellency a Bill appropriating the sums voted for the service of the year, to which I respectfully solicit Your Excellency's assent."

His Excellency assented to the bill.

HIS EXCELLENCY THE GOVERNOR GENERAL was pleased to close the Third Session of the Sixth Provincial Parliament with the following

SPEECH :

"Honorable Gentlemen of the Legislative Council :

"Gentlemen of the Legislative Assembly :

"The time has come when I am able to release you from the labors of the Session, and I think that I may express satisfaction at the result of your deliberations.

"The prosperity of the country is reviving.—The measures which you have sanctioned for extending our trade, and facilitating the free navigation of the St. Lawrence, involving as they do, some sacrifice, will contribute, in the end, to increase our resources.

"The establishment of a Free Port at the Eastern and at the Western extremity of Canada will attract commerce to our shores, and must hasten the settlement of districts hitherto waste and unproductive. The Fisheries of the Gulf, and the Mining interests of the Upper Lakes, will benefit greatly by these liberal measures.

"You have destroyed the last remnants of the Seigniorial Tenure, which remained in a few *fiefs* in the district of Montreal. The Act for improving the administration of Justice in Lower

Canada, will cause the expense of juries to be defrayed from local funds. This change, and the completion of the system of the Registration of instruments affecting land will have carried a step further the assimilation of the laws in force in either section of the Province.

"You have completed two steps necessary for adding the Consolidated Statutes of Lower Canada to the body of the Statutes of Canada and Upper Canada, already promulgated in a compact form; and you have brought into a more convenient shape the Municipal law affecting the Eastern section of the Province.

"All these are steps tending to strengthen that bond of union which I believe to be essential to the progress and the future greatness of your country.

"I should add, that the Common School Law of Upper Canada, has been amended and improved, and that a Bill will be submitted for the assent of Her Most Gracious Majesty, providing for the future administration of Indian Affairs by the Provincial Government.

"The terms of this enactment are such as to shew a desire to uphold the rights, and protect the property, of those most nearly concerned in it; and I cannot doubt, but that, if sanctioned, its provisions will be carried out in perfect good faith by the Executive Government of Canada.

"Gentlemen of the Legislative Assembly ;

"I congratulate you on the successful steps taken for consolidating the Public Debt, and on the saving which will be effected by the investment of the Sinking Fund, in securities of a different description. I thank you for the Supplies which you have granted for the public service, and I earnestly hope that the temporary depression of our finances, may disappear in the course of the current year.

"Honorable Gentlemen, and Gentlemen :

"There is one subject on which I have not yet touched, and that is the promised visit to this Province of His Royal Highness the Prince of Wales. Your invitation has been most graciously responded to by Our Queen, and your reception of Her son will now shew the warmth of those feelings which dictated the Address of last Session, and the deep sense of loyalty to the Throne, and of love for the laws and institutions of Great Britain, which animate the population of Canada."