

HOUSE OF COMMONS

Tuesday, November 19, 1867

The Speaker took the Chair at three o'clock.

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

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

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

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

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

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

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

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

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

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

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

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

STANDING COMMITTEES

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

PRINTING COMMITTEE

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

GOVERNMENT BUSINESS

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

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

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

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

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

[Sir John A. Macdonald (Kingston)]

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

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

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

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

The motion was carried.

INTERPRETATION OF THE STATUTES

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

SECRETARY OF STATE FOR CANADA

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

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

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

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

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

The Bill was read.

THE PUBLIC ACCOUNTS

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

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

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

INDEMNITY TO MEMBERS

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

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

The motion was carried.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The House then rose.

EVENING SESSION

After the recess,

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

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

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

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

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

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

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

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

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

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

[Mr. Johnson (Northumberland)]

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

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

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

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

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

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

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

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

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

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

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

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

The House adjourned at 9:45.
