

LEGISLATIVE COUNCIL.

WEDNESDAY, 8th June, 1866.

The SPEAKER took the Chair at three o'clock.

QUEBEC RAILWAY COMPANY.

Hon. Mr. FEROUSSON BLAIR, from the Standing Committee on Private Bills, reported the bill to incorporate the Guelph, Fergus, Owen Sound and Lake Huron Railway Company, with several amendments. The amendments were concurred in, the title of the bill being changed to the Wellington, Grey and Bruce Railway Company, and the bill ordered for a third reading to-morrow.

CHILDREN'S INDUSTRIAL SCHOOL.

The Committee also reported the bill to incorporate the Children's Industrial School of Hamilton, with amendments. The amendments were taken into consideration and concurred in.

PORT HOPE RAILWAY COMPANY.

The Committee also reported the bill to authorize the re-organization of the Port Hope, Lindsay and Beaverton Railway Company, and to empower the said Company to acquire the Harbor of Port Hope and other purposes, with certain amendments. The amendments were concurred in, and the bill was ordered for a third reading to-morrow.

GOOD SHEPHERD ASYLUM.

Hon. Sir E. P. TACHE, from the Special Committee to whom was referred the bill to amend the Act to incorporate the Asylum of the Good Shepherd of Quebec, reported without any amendment. The bill was read a third time and passed.

PHYSIC AND SURGERY.

Hon. Sir E. P. TACHE, from Select Committee on bill relating to the practice of physic, surgery and the study of anatomy, reported the bill with certain amendments. The amendments were concurred in, and the bill was read a third time and passed.

RECTORIAL LANDS.

Hon. Mr. CURRIE, from the Special Committee on the bill to authorize the Church Society and Synod of the Church of England, in the Diocese of Toronto, to sell their Rectorial Lands, reported the bill with certain amendments. It was ordered that the bill be amended, be reprinted, and be taken into consideration on Wednesday next.

COMMITTEE ON PRINTING.

Hon. Mr. SANBORN presented the eighth Report of the Joint Committee on Printing, recommending the printing of a number of papers and returns. The question of concurrence in the Report was fixed for to-morrow.

MUNICIPALITIES AMENDMENT ACT.

Hon. Mr. E. H. G. DUCHESNEY introduced a bill to amend the act relating to Municipalities and Roads, chap. 24, Consolidated Statutes of Lower Canada, relating to the sale of intoxicating liquors. The bill was read a first time, and the rule suspended so as to enable it to be read a second time at once. The mover, in asking for the second reading, stated that the object of the bill was to give to Local Councils the power now possessed by County Councils, to restrict the sale of intoxicating liquors within their precincts.

Hon. Mr. MOORE objected to the second reading until the bill was printed, or, at least, fully explained in the English language as well as in French. It had been explained, but in a language unfamiliar to a number of hon. members.

Hon. Mr. LETELLIER DE ST. JUST explained in English the provisions of the bill. It was necessary, because the Local Councils were better informed as to the requirements within their localities than the County Councils. There was another bill before Parliament relating to the sale of intoxicating liquors, and this bill was introduced because many members from Lower Canada considered that it embodied all the amendments required in the law, and being adopted, they might regret the larger measure.

Hon. Mr. CAMPBELL thought it would be exceedingly improper to proceed to the second reading of a bill like this in so hurried a manner. He suggested that the second reading should not be had to-day.

Hon. Mr. SANBORN thought it was somewhat suspicious that the bill should have been introduced in this hurried manner. He concurred in the propriety of putting off the second reading.

Hon. Sir E. P. TACHE said that nothing suspicious could come from the hon. mover of the bill. It was introduced now because the measure which had come before the House was of an extraordinary kind that it was impossible not to apprehend that evil might result from its passage.

The second reading was then fixed for the first order of the day to-morrow.

DEATH OF A MEMBER.

Hon. Mr. CURRIE moved the third reading of the bill.

Hon. Mr. FLINT said that as it might be thought strange that he should have voted against the second reading of the bill, he deemed it proper to give some reasons for that vote and for that which he was about to give. He regarded the marriage covenant not only as a civil contract—as which only it had been characterized by the mover and seconder of the bill—but as a most solemn ordinance, as though not viewing it, like the hon. Premier, as a sacrament, he very much coincided with him in his views of the sacredness of the obligations it involved. The hon. member went on to plead for leniency towards the errors of women, and said no one in the House had a better right to speak of the wrongs women were exposed to than himself, but he could not further allude to this matter; there were, however, members in the House who would undertake him. The law always gave the accused the benefit of the doubt, and if there was room for doubt in this case, mercy should prevail. Women were often the subjects of conspiracies to ruin their honor, and if they were seen to go into suspicious houses it was enough to blast their reputation, whereas men might commit any amount of fornication or adultery, with no evil result to themselves. In the case before the House, it was quite possible that the unfortunate woman might have been entrapped in snare purposely set for her. In listening to the evidence, he had failed to come to the conclusion that it was sufficient to convince him. The hon. member proceeded at considerable length to argue against the conclusiveness of the evidence.

Hon. Mr. LETELLIER DE ST. JUST said that the best testimony of which the case was susceptible had not been produced. The hon. member gave in French the substance of what the preceding speaker had said in English. The hon. member spoke a long time, and was heard with much attention.

Hon. Mr. DELATERRIERE said I shall again register my name against so immoral a farce and comedy, and one so compromising to the dignity of this House, and I will avail myself of the opportunity of this divorce question to say, that if I could be in favor of one divorce bill, the only one I would support would be the divorce of the two Provinces. That unfortunate marriage has been for 25 years, and still is the cause (allegorically speaking) of illegitimate and adulterous political pursuits, as well as of our interminable political agitations. The sooner it is repudiated the better for the harmony and welfare of both Provinces. No coalition of parties—of which we have had experiments—will remove the increasing causes of antagonism proceeding from this unfortunate union, and awaiting the realization of the divorce of the two Provinces, I shall vote against the third reading of the Banning Bill.

Hon. Mr. PANET said some people were difficult to please in the way of proof. In his mind the evidence in the case before the House was perfectly conclusive. There were persons who were deaf and could not hear, but quite alive to romance and fiction. Now he took the judgments rendered in Montreal as perfectly satisfactory. The offending woman had been summoned to appear at the bar, but had not come, and moreover she was said to have consented to a separation, and accepted an allowance from her husband. He had made up his mind not to take anything less than positive evidence before he gave his final vote, and he would say the evidence had satisfied him. The hon. member proceeded and said that in the case of divorce the Church had yielded, and he proceeded to show that there was an important concession in administering the sacrament of marriage to Protestants. Divorce was admitted in the German States and in Poland, for though the Church theoretically opposed the practice, it had passed such things over quietly. He thought hon. members should be less exclusive and more open to conviction.

On Question "in affirmation."
Hon. Mr. SANBORN wished to move a short amendment in respect of settlement, to the effect that such substance should be valid notwithstanding the passing of the Act.

The SPEAKER said that it was not usual to make amendments in bills of divorce except in Committee of the whole House.

On motion of Hon. Mr. SANBORN, the House then resolved itself into a Committee, when the amendment proposed was adopted. The Committee rose and reported the bill as amended.

The House having resumed, the Report was adopted, and the bill as amended was read a third time—35 contents to 18 non-contents. The motion for the passage of the bill was then put and carried—34 contents to 18 non-contents.

Hon. Mr. CURRIE then moved that a message be sent to the Legislative Assembly, with

a copy of the minutes of evidence in the case—Carried.

INFORMERS' SECURITY BILL.

Hon. Mr. ATKINS said that the object of the bill was to give security for costs. Such actions were very often commenced by designing persons for the purpose of extracting money under threats of prosecution.

The bill was read a second time and referred to a Select Committee, of Hon. Messrs. McCrea, Currie, McMaster, Resnor, and the mover.

MILITIA AMENDMENT BILL.

House in Committee, Hon. Mr. J. DUCHESNAY in the Chair.

Hon. Sir E. P. TACHE repeated what he had said yesterday in relation to the bill. It was to supply an omission in the law by which cities and towns were freed from the obligation to send in their Assessment Rolls to the County Council Clerks, as other parts of the country were obliged to do.

The Committee adopted and reported the bill.

On motion of Hon. Sir E. P. TACHE, the bill was read a third time and passed. The House then adjourned.

LEGISLATIVE ASSEMBLY.

WEDNESDAY, June 8th, 1866.

The SPEAKER took the Chair at three o'clock.

ALTERING A VOTE.

Mr. SCOBLE asked the permission of the House to alter the vote he had given last night upon the amendment proposed by the hon. member for Norfolk (Mr. Walsh). At the time he gave that vote he misapprehended the nature of the resolution, and the effect it would have. The hon. gentleman was underdressed to explain that he would have preferred to vote for the motion of the Hon. Attorney-General West. He therefore begged that his name be recorded among the "noys."

THE SEIGNIORIAL PATENT OF BEAUCO.

Mr. RANKIN presented a petition from a number of freeholders and miners of the Parish of St. Francois de la Beauce, setting forth the fact that a gold-mining patent had been granted to the Seigneur in 1846; that they considered the Seigniorial Act of 1856 should be interpreted as placing them on a similar footing with other British freeholders, and that it should not be held as preventing them from exercising the right of mining upon their own farms.—The hon. gentleman presented a similar petition from a number of *seigneurs* of the same locality.

SHIPLEY'S "DRAWBACKS."

Hon. Mr. ALLEYN presented a petition against the proposed change in the law relative to the drawback granted to shipbuilders building ships in Quebec.

NAVIGATION OF CANADIAN WATERS.

Hon. Mr. GALT introduced a bill "to amend the law relative to the navigation of Canadian waters." This bill was predicated upon the new regulations recently established by other countries. He had given notice at the early part of the session of the introduction of this bill, but then it was not quite certain whether the Congress of the United States would carry out the new regulations, which they had since done; and instead of confining the bill to sea-going craft, it would be extended to vessels navigating our inland waters. The circumstance of the great change brought about in navigation, arising out of the introduction of screw-steamers, called for some modification of the old navigation law, and necessitated our giving effect to the same regulations which are in force in other countries. It was exceedingly desirable that all countries having vessels at sea should be governed by the same rules, in this respect. This act would give effect to the regulations contained in the Merchant Shipping Act Amendments' Act of 1865. It was also in conformity with the act passed by the United States Congress, and would repeal the existing law, and give effect to the new regulations; so that captains of vessels and other parties interested would, by obtaining a copy of this act, have the whole law on the subject of the arrangement respecting passing vessels at sea, and so forth.

In answer to questions from Hon. Mr. HOLLTON,

Hon. Mr. GALT explained that it was thought to be more convenient to repeal the whole of the old law and re-enact a new one, and as the American act would come into effect in Sept. next, he meant that our act should come into operation simultaneously.

The bill was then read a first time, and ordered for a second reading at the next sitting of the House.

NOTICE OF FORTHCOMING NOTES AND BILLS OF CHANGE.

Hon. Mr. GALT introduced a bill entitled "An Act to amend the Statute in relation to the