

LEGISLATIVE ASSEMBLY.

TUESDAY, July 3rd, 1866.

The SPEAKER took the chair at half past seven o'clock.

Several bills were introduced and read a first time.

Hon. J. A. MACDONALD said he had intended the resolutions on the subject of the Local Constitutions should have been moved this evening, but in consequence of the unanimous representations made by members from both sides of the House, as well as by outsiders, as to the distributions of the new seats, the Government had not yet prepared the schedules on that subject. The resolutions would, however, be distributed immediately, and he would move their adoption on Thursday.

Hon. J. A. MACDONALD introduced a bill to amend the Volunteer Militia Law. He proposed that the restriction as to the number of 25,000 of Volunteer force should be repealed, and the number be left in future at the discretion of the Government according as the circumstances of the country might require; also to allow the Government to accept the services of Mounted Infantry; and to authorize municipalities to provide for the wounded or their friends, and to legalize the assistance already given by the municipalities without authority of law. The Attorney-General mentioned several other contemplated changes, the purport of which did not reach the gallery.

In reply to Mr. Wood, Attorney-General MACDONALD explained that the government had already full power to erect drill sheds and armories, but of course before any expenditure of the kind is incurred it must be voted by Parliament.

Hon. J. S. MACDONALD said that the removal of the defects which time had shown to exist in the Militia Law which he had introduced, would be cheerfully concurred in by the members on his side of the House. He said they were all anxious to defend their country, and when the emergency had come it had been found that the acts of his government had been sufficient to meet it, and now only required a few trifling amendments.

Hon. J. A. MACDONALD—When glad to be assured of the assistance of members opposite in improving the Volunteer act, reminded the House that our Volunteer system was created under the act introduced by the government of the late Sir Allan Macnab in 1855.

Mr. JONES (North Leeds.) Though glad to see provisions made for the Volunteers, thought he would not be doing justice to his constituents, or the country, did he not state his conviction that the plan proposed by the Attorney-General was the worst that could possibly be adopted. He thought it would be exceedingly wrong to impose upon the municipalities the duty of providing for the Volunteers; it was enough that they should furnish the men.

Attorney-General MACDONALD said the hon. member had misunderstood him. It was not intended that municipalities should be compelled, but only permitted, and the grants already made legalized.

Mr. JONES hoped the Attorney-General would hear him out; he held that the country at large should provide for them, and not throw it upon poor but willing municipalities, who might do more than their ability, while other and richer municipalities might do nothing.

Mr. DUNKIN said the country had already made provisions for the Volunteers in the pay allowed them for service, and he could see no harm in the proposition of the Att'y-General.

Mr. D. MACDONALD argued in favor of providing for the Volunteers at the expense of the country at large, and not by the municipalities.

Mr. POWELL said he would not now discuss the principle involved in the bill, but he thought that ample provision should be made for the Volunteers, even those of them who, though suffering no other loss, had been deprived of their situations. He understood there were several in that position in Montreal.

On motion of Attorney-General MACDONALD, the House went into Committee of the Whole on Bill No. 47, to authorize the Law Society of Upper Canada, to admit Hewitt Bernard, as a barrister-at-law,—bill reported and ordered to a third reading.

On the question of receiving the report of the Committee on Ways and Means,

Hon. Mr. GALT explained with reference to the delay that had taken place in communicating by telegraph on Monday last, the resolutions on customs and excise, which it was his intention to have had put immediately in force. He had enquired of the President of the Telegraph Company, and had received a letter in explanation, which he read and which promised further enquiry on the subject. Mr. Galt then stated that at midnight, or about

that time, he had sent the despatches; that for Quebec was delivered at 11:30 a.m., at Montreal at 10:45 a.m., at Kingston at 10 a.m., at Toronto at 9:15 a.m., at Hamilton not until 20 minutes past 3 p.m., and at London at 10 a.m. As the delay in the messages had defeated the purpose of the Government in putting the resolutions into simultaneous effect, it was the intention of the Government to allow a limited period, say twenty-four hours, during which all goods in bond on the 27th ult., might be removed under the old tariff. To-morrow notices would be sent to all the officers, and the time he had mentioned would then be allowed, so that the mercantile community throughout the country would all be placed upon an equal footing.

Hon. Mr. HOLTON did not believe that the period of twenty-four hours was sufficient to effect the purpose contemplated by the Minister of Finance. Mr. H. then stated, that in his opinion the House, or rather the Government, had gone a little too far in the course adopted two years ago, and since followed by imposing duties, before the concurrence of the House had been taken in the resolutions. He wished the Minister of Finance to consider the point, and cited certain precedents from English practice.

Hon. A. T. GALT said the point was certainly one of very great importance, but he had not doubted of the propriety of the course that had been followed, with the consent of both sides of the House, and for the interest of the country.

Hon. A. A. DORION contended that great injury was done to the commercial community by these sudden changes, and a means ought to be devised to save those who had purchased or contracted to deliver, the value of which might be seriously affected by these changes.

Hon. A. T. GALT said that contracts were constantly being made, and that he saw no possible way of meeting the cases which had been referred to by the hon. member for Hochelaga. He would also mention that an impression had got abroad that free goods imported into Gaspé, might now be transferred to other parts of the country without paying duty, but the Government had made strict provision to prevent goods being transferred from the free ports to any other place, until the duty thereon had first been paid.

Messrs. A. A. Dorion, Dunkin, and Hon. J. H. Cameron continued the discussion for some time, as to the practice of Parliament, and the effect of acting on the resolutions before concurrence is taken thereon.

Mr. M. C. CAMERON contended that unless the Attorney-General had given the question due consideration, and come to the conclusion that those who had, on the morning after the passage of the resolutions, taken out their goods under the old tariff, could not be compelled to pay up the difference, it would be far preferable to compel them to do so, than adopt the plan proposed by the Hon. Minister of Finance.

The House then went into Committee of Supply, Mr. Street in the chair.

The item for Legislative Council Salaries, \$96,580 00, was agreed to.

On the Salaries and Contingent Expenses of the Legislative Assembly, \$138,440 00,

Hon. J. S. MACDONALD enquired who was to provide for the expenses of the Parliament to be held next year.

Hon. Mr. GALT said as the next Parliament would not be the Parliament of Canada, his honorable friend would see that question did not come within the scope of the Canadian Government to answer.

Hon. Mr. HOLTON said the Audit Act would certainly be in force in Canada, if not in the Confederacy, and he thought it belonged to the Government to show how the first expenses of the local Governments were to be legally provided for.

Hon. J. A. MACDONALD explained, and made a few remarks in reply, assuring the hon. member that if no other course were open he hoped the Government, of which no doubt his hon. friend would be a member, would get a vote from the Confederate Parliament. (Laughter.)

The item was carried, as were also the remaining items embraced in the expenses of Legislation. On the educational grants a protest was entered by Messrs. Scoble and McKenzie against the appropriations to Sectarian Colleges.

Hon. J. S. MACDONALD said these gentlemen had supported similar appropriations. A lengthy discussion took place between the members for Cornwall and Lambton. The several items were carried. The appropriations to Literary and Scientific institutions, amounting to \$14,800, were then agreed to.

On the item for maintenance of St. John's Asylum, \$16,800,

Mr. DUNKIN denounced the building as infamous, being totally unfitted for hospital

purposes. He quite agreed that another Asylum in the neighborhood of Montreal was necessary, for the one at Beauport was too far from the centre of Lower Canada population, but the St. John's institution was not at all what the country required, and in fact it was impossible to give the patients fair treatment in it.

Hon. Mr. CARTIER explained that the Government had felt bound to provide for those unfortunate people, in so far as it could be done, but in view of a change in our system of Government, it was not advisable to enter into any arrangements for the present. A long discussion then ensued.

The Committee rose at a quarter to twelve o'clock to sit again on Thursday, and the House adjourned.

LEGISLATIVE COUNCIL.

WEDNESDAY, July 4th, 1866.

The SPEAKER, pursuant to the terms of adjournment took the chair at half past seven o'clock p. m.

A number of petitions were presented, a large proportion being for the renewal of an expired charter for a railway from Toronto to Owen Sound presented by Hon. Mr. Dickson.

Private Bills.

Hon. Sir N. F. BELLEAU moved that the time for the reception of petitions relating to Private Bills be extended to the 15th inst.

First Reading.

Hon. Sir N. F. BELLEAU introduced a bill to facilitate measures for the repression of the vice of intemperance in Lower Canada. The House then adjourned.

LEGISLATIVE ASSEMBLY.

WEDNESDAY, July 4th.

The SPEAKER took the chair at 3 o'clock. The House sat with closed doors for half an hour.

When the galleries were opened a large number of petitions were presented.

Mr. MCKENZIE introduced the bills to authorize two Oil Companies to hold and convey certain lands.

Mr. DUFRESNE, (Montcalm) introduced a bill relating to water courses in Lower Canada.

Hon. J. H. CAMERON introduced a bill to erect the County of Peel into a separate County.

Mr. CURRIE introduced a bill to incorporate the St. Patrick's Orphan Asylum, also an act to confer upon Ottawa College the power to grant University degrees.

A large number of private and local bills were introduced and read a first time.

Hon. Mr. CAMERON asked whether it was the intention of the Government to take early proceedings for the trial of the prisoners lately taken in arms invading the Province, by court martial?

Hon. J. A. MACDONALD replied that it was the intention of the Government to bring the prisoners to trial at an early day, before a competent tribunal.

Mr. DUFRESNE, (Iberville) asked whether Didac Tasse, Esq., who was dismissed from the office of Collector of Inland Revenue, for the District of Iberville, coroner of the said District, and Clerk of the Court of the County of Iberville, after an inquiry into his conduct, which showed him to have been guilty of fraud against the Government, had lately been appointed a Justice of the Peace?

Hon. Mr. CARTIER said the reasons which disqualified Mr. Tasse as a collector of Inland Revenue would not disqualify him as a Justice of the Peace, and it was necessary that a loyal man should be appointed to that office.

Mr. J. B. E. DORION moved his resolutions of which previous notice had been given in favor of colonization and a Homestead Law.

Hon. J. A. MACDONALD said the principle of the motion was at variance with the relations existing between debtor and creditor in this and every other civilized country. The merchant or settler had incurred with the means that enabled him to clear his land, and that he should be placed in a position to defray his creditors. The resolutions of the Hon. Member he thought were extremely revolutionary in their tendency and ought not to be entertained.

Mr. DUFRESNE (Montcalm) opposed the resolution as the settler's credit was based upon his property.

Hon. G. BROWN considered that the Attorney General held views against the Homestead Law altogether too strong. The Homestead Law as applied in the United States was that a certain amount of the labor and capital of the poor man should be placed beyond the risk of ordinary daily speculation, and this was very far from being disapproved. He con-