

## HOUSE OF COMMONS

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Tuesday, March 17, 1868

The Speaker took the Chair at 3 o'clock.

### ELECTION PETITIONS

Mr. Speaker intimated that he had examined the recognizances of the election petitions with reference to Berthier, Verchères and Hochelaga, and found them unobjectionable.

Mr. Speaker read a letter from **Hon. J. C. Chapais**, stating that he had accepted a seat in the Senate, and withdrew his petition claiming a seat in the House for Kamouraska.

**Mr. Walsh** moved that order referring said petition to General Elections Committee be discharged. Carried.

**Hon. Mr. Dorion** asked if Government would immediately have a writ issued for a new election.

**Sir John A. Macdonald** said he would state the course Government intended to take. He would move to-morrow that the petition be referred to the Standing Committee on Petitions and Elections, with instructions to investigate the matter, but he would consult the member for Hochelaga before making the motion.

**Hon. Mr. Dorion** could not see the object of such a reference, when there was no pretense now that there was an election at all. It might be proper to have an investigation to ascertain who were the guilty parties, if any; but he saw no reason for delaying the writ unless Government was prepared to say some legislation was necessary with respect to that county.

**Sir John** said the question whether there should be legislation was an aspect of the case which he thought the House should consider.

### PRINTING COMMITTEE'S REPORT

**Mr. Mackenzie** presented the report of the Printing Committee, recommending the printing of various papers, and also that one copy of all the documents of this Parliament be

sent to all the members of the Local Legislature in both branches. He moved that the reports be adopted. Carried.

### INDEPENDENCE OF PARLIAMENT

**Sir John A. Macdonald** gave notice that on Friday he would introduce a Bill for securing the Independence of Parliament; also a Bill respecting provisions of both Houses of Parliament and members thereof.

### INTERCOLONIAL RAILWAY

**Mr. Jones (North Leeds)** moved an address for all correspondence, reports, etc. respecting location and construction of the Intercolonial Railway since 3rd December, 1867. Carried.

### NORTH-WEST TERRITORY

**Mr. Jones (North Leeds)** moved an address for all correspondence had with the Government respecting the North-West Territory, including British Columbia, since 5th December, 1867.

**Hon. Mr. Holton**, who seconded the motion, said he understood yesterday from the Leader of the Government that there had been no reply yet received to the address of the two Houses of Parliament on this subject. As Government, however, assented to this address, he assumed there had been some correspondence, but if there was no reply from the Home Government, it couldn't be of much consequence.

**Sir John A. Macdonald** said there had been no correspondence with the Home Government, except the despatch transmitting the address of both Houses; and the only other papers which could be sent down related to the desire of British Columbia to be admitted into the Union. As soon as the answer from the Home Government came, it would be brought down without delay.

**Hon. Mr. Holton** doubted whether the limit fixed in the address, 5th December, was correct.

**Sir John A. Macdonald**—You seconded it.

**Hon. Mr. Holton** said he was always willing to oblige a neighbour, but it was not to be supposed that the Government had invited both branches of the Legislature to take so important a step as to pass an address on which the annexation of that immense region to this country was to be founded, without having had some previous correspondence with the Imperial authorities. He thought it was the papers which led the Government to adopt the course which they invited Parliament to take in December. He was afraid he would have no results whatever on that question during the present year. His own conviction was that the Address was a delusive proceeding—that the Minister of Public Works having made certain declarations during the electoral campaign in Upper Canada—which declarations could hardly be made good by the facts—had felt himself constrained, in order to sustain his position before the country, to do anything, and that that something was the Address which he moved without having reached the stage in the negotiations which would have justified him or his colleagues to study that course. His conviction was strong that a settlement of the question was as far from attainment now as it was six months ago, when the honourable gentleman made these declarations.

**Mr. Jones** said the reason why he had limited the Address to the period since 5th December, was that the answer to a similar address was brought on that date.

**Sir John A. Macdonald** hoped the mover and seconder would settle between themselves what their motion should be.

**Dr. Parker** said when Government introduced the address respecting the North-West Territory, the ground they alleged for urgency was that important State reasons required the measure to be proceeded with immediately. If there were important State reasons which applied to this Dominion, they ought to be communicated to this House. If it was meant that they were important state reasons, applying only to the Imperial Government, then the delay which had occurred in answering the address would seem to falsify the assertion. If any correspondence had taken place between the Government and the Hudson's Bay Company, he wished to inquire whether that correspondence would be brought down under this address.

**Sir John A. Macdonald** said the Government would send down all the correspondence they had in their hands to send. Did the

honourable gentleman who had just spoken wish to have a vote of censure passed on the Imperial Government for not answering the address sooner?

**Dr. Parker**—We will begin with your Government first.

**Mr. Mackenzie** said since there had been no correspondence, it was gratifying at least to know that there had been no unfavourable response to the address of this Parliament, for the impression somehow had gone abroad that something unfavourable had occurred. He hoped when the despatch which accompanied the address was brought down, it would be such as to justify the House in believing that the Government had earnestly pushed forward the measure which they had carried with such urgency through Parliament, and that it was not merely a temporary political exigency, as had been suggested by the member for Chateauguay, which led to the adoption of that course. The Minister of Public Works, who was not generally a very imaginative individual, did indulge in some very extravagant flights of imagination on this subject during last election, at some of the meetings at which he (Mr. Mackenzie) was present. That honourable gentleman told the people that he was gratified to be able to inform them that the Union with some of the other colonies was a matter not of months but of weeks. He (Mr. Mackenzie) had waited patiently for the correspondence with those colonies which would have justified that statement, but had waited in vain. It appeared to be a myth, like many other assertions of that honourable gentleman during his canvass. He regretted the delay which had occurred in answering the address, and hoped this Government was not a party to it; but certainly matters had not that satisfactory appearance which he would desire as an ardent friend of the Union of the British Provinces.

**Hon. Mr. Holton** said he must admit that he was not previously aware of the fact that all the correspondence respecting the North-West, up to 5th December, was already before the House.

**Sir John A. Macdonald**—Neither was I. (Laughter).

**Hon. Mr. Holton** said he was sure no correspondence had been submitted to the House setting forth the terms and conditions under which the North-West Territory was to be obtained by this country; and if all the

correspondence to 5th December had been brought down, then the Government stood convicted of having moved the address without having any proper basis for it whatever.

**Hon. Mr. McDougall** said the position taken by the member for Chateaugay seemed to be this—that the Government should have entered into some kind of negotiations, secret or otherwise, in order to ascertain beforehand what special terms and conditions ought to be adopted in bringing this Territory under the jurisdiction of the Government of this country. The Government had taken a different view, the Union Act declaring that the North-West Territory might be handed over to the jurisdiction of Canada on such terms and conditions as should be expressed in the address of the two Houses of Parliament. The Government assumed that, in pursuance of that Act, what they had to do was to ascertain for themselves the terms and conditions on which they would accept the Territory, and having got the assent of both Houses to these terms, they forwarded the address to the Home Government, and now awaited their answer. An honourable gentleman opposite thought this Government was censurable, because no answer was yet received. Surely they were not to settle both sides of the contract. If the Imperial Government and Parliament had other terms and conditions to propose, we would have to pronounce upon them when presented to us. As regarded the delay, they hoped and expected that probably the next mail would bring the answer of the Imperial Government. The House knew that in England the Premier had retired, and another had taken his place, and necessarily delays and changes of policy would occur. This might account for some of the delay in answering the address, which he confessed he very much regretted. He did think there were high reasons of State why this question should be settled at the earliest moment; he thought so still, and he must say there had been no failure of duty on the part of this Government in urging the matter. As regarded what he had said during the last election, one could not be expected to stand by all the pictures of imagination which might be drawn during the heat of an election contest. (Laughter). He would say, however, that in Newfoundland there were several gentlemen occupying prominent positions, who took part in the negotiations of 1864, and who were still anxious that that Colony should enter the Union. It was well known what views were expressed by the Governor of New-

foundland, when recently in this country, and the newspapers of the last few weeks showed that there was a desire prevailing among a large portion of the people of that Colony to join their fortunes with ours. As regarded British Columbia, at a public meeting presided over by the Mayor of Victoria, resolutions in favour of Union were passed, and similar resolutions had previously been passed unanimously, he believed, by the Legislature. He thought, therefore, he had been justified in assuming, with overtures of this kind from the other Colonies, that the Union would soon be extended. Delays had occurred, but he believed that in a short time we would have formal proceedings, which would be a basis for action, and the extension of the Union, therefore, he looked upon as no myth.

**Mr. Mackenzie** pointed out that the visit of the Governor of Newfoundland and the action taken in British Columbia were subsequent to the speeches made by the Minister of Public Works to which he had referred. He was happy to believe that there was a desire for Union among a large proportion of the population of these colonies, but such unauthorized statements as those of the Minister of Public Works, admitted to have been made without any foundation, were calculated to do more harm than good, by raising hopes which must be disappointed to a greater or lesser extent.

**Sir John A. Macdonald** said the Minister of Public Works had not meant it to be inferred that the expressions used by the Governor of Newfoundland and the resolutions passed in British Columbia were the only indications the Government had had of a prospect of Union with those Colonies. He could assure the House they had had frequent communication of a very important nature, all tending in the direction of an extension of the Union long before these indications. They had had no official communications. The member for Lambton must know, or no doubt as a member of the Government would soon know, that official communications conveyed results, and that the most important portion of the public business was transacted by being made matter of arrangements and discussion in an unofficial form before the results were communicated in official documents. His honourable friend was quite justified in stating he had reason to believe that Confederation would, ere long, be extended East and West.

**Mr. Savary** said this discussion gave him a favourable opportunity of making a remark which he thought it his duty to make on

taking his seat. He desired to protest that his taking his seat should not be considered as any assent to Confederation of the Province of Nova Scotia with Canada, until its legality was fairly tested. (Hear, hear, and laughter). He made this observation on behalf of 16 members representing Nova Scotia in this House. It was well known that a delegation had gone to England constitutionally representing the people of Nova Scotia, to request the consent of the British Government to the repeal of a Union carried in defiance of the wishes and contrary to the interests of that Province. With the objects of that delegation he believed at least 16 members of this House from Nova Scotia out of 19, were in cordial sympathy, and any part they might take in the deliberations of this House had only the more fully satisfied him ought to be carried out in the interests of the people of Nova Scotia.

**Mr. Mills** said when this question was formerly before the House, he took exception to the reactions because they proposed to establish in the North-West Territory a Government that would be subordinate to the Government of Canada, which he considered would be a violation of the Federal principle recognized in the Union Act. He had considered it essential that the Government to be established should occupy the same position as the Governments of the Provinces already within the Union, or of those still to be admitted, and should derive its powers, not from the Federal Government, but from some independent source. He inferred from what had been stated by the honourable gentleman opposite, that exception had been taken to the address of this Parliament, and that had been intimated to the Government that it would be necessary to provide for local self-government in the North-West Territory as in the other portions of the Dominion.

**Hon. Mr. McDougall** said nothing he had stated justified such an inference.

**Mr. Blake** said he entirely concurred in the view expressed by the member for Bothwell, and he denied that the address stated any terms or conditions of Union at all, with the exception of the reservation of the legal rights of certain persons and corporations which had of course to be reserved. The proposal of the address was on unconditional transfer, giving us absolute power over the territory and making it subordinate to us in the same way as we are subordinate to the Empire. This was the logical meaning of the address. It was on this ground that his

[Mr. Savary (Digby).]

honourable friend from Bothwell, his honourable friend from Chateauguay, and himself had fought against it, but they had been told that was the form in which the Imperial Government would probably be disposed to give them the territory. He did not believe that the Imperial Government would be disposed to sanction anything of the kind, so as to make that country a dependency.

The motion was then agreed to.

#### ABDUCTION OF ALLAN MACDONALD

**Mr. Mackenzie** moved an address for correspondence regarding the abduction of Allan Macdonald from the township of Moore by United States officials. In doing so, he said he hoped the Minister of Justice was not in a position to state whether the report in the newspapers, to which he had referred yesterday, was true or false—that after the United States authorities had admitted the illegality of the proceedings of their officials, the British Minister at Washington had declined to accept the release of the prisoner, who had been improperly abducted from British territory.

**Sir John A. Macdonald** said the papers would be brought down. He was bound to say the answer given by the British Minister at Washington to Secretary Seward was what had been stated, that without having communicated with the Government of Canada, he had stated that he would not ask for the liberation of the party under the circumstances. The papers in this case had been sent by him to the Government of the Dominion. He had been greatly surprised to learn that the person illegally abducted had been allowed to be retained in the United States without being sent back to Canada. It was due to the House and the country to have some explanations of the extraordinary and unprecedented conduct of the British Minister at Washington. (Hear, hear.) We should not permit any British Minister to take upon himself to say he would surrender the rights and liberties of a British subject, whom the American authorities had no right to detain. (Hear, hear.)

The motion was then carried.

#### POSTMASTERS

**Mr. Mackenzie** moved for copies of letters addressed to Postmasters in the County of Lambton by the Post Office Inspector at London, and of letters or instructions from the Department of the Postmaster General to