

ed were fewer, and the whole process was simpler than by the proposed Bill. Every professional man, every person accustomed to reading the statutes, must admit this. In case professional advice was needed as to whether the papers were regular or not, the County Court judge—a higher authority than a lawyer—would give advice without fee or reward. If the judge considered the papers regular he drew a certificate to that effect.

Mr. MEREDITH—But supposing the County Judge takes the view that the Hon. the Commissioner of Public Works takes—that the organization is not a legal one—what then?

Mr. MOWAT said he was surprised at such a question from his hon. friend the member from London, who was generally very reasonable in his observations, and who so seldom allowed party feeling to move him except when he went to vote. (Laughter) The objection the member referred to might apply to all our corporations. He was sure the judges were not influenced by party considerations, and he was perfectly certain that even supposing his hon. friend the Commissioner of Public Works were to be a judge he would have no difficulty in saying whether the papers submitted to him corresponded with the Act or not.

Mr. MEREDITH said he did not mean that the judge would be influenced by any improper motive, but was supposing that he came to the conclusion in a proper way as the hon. the Commissioner had done.

Mr. MOWAT said he could not assume that the judge would refuse to say that regular papers were regular. The General Act provided that a copy of the declaration, certified by the Provincial Secretary, should be *prima facie* evidence of the facts alleged in the declaration. Under the proposed Act a subordinate lodge, in order to show that a lodge was incorporated, would have fifteen or twenty points to establish, and to establish which witnesses would perhaps have to be brought from all parts of the country. By the General Act all that was required is the production of the certificate.

Mr. MERRICK—That is only a preliminary.

Mr. MOWAT said the statement of his hon. friend showed that he had either never read the Bill or had not been thinking when he did read it. The General Act provided a simple process by which the certificate of the Provincial Secretary could be proved to be genuine, although there might be no occasion to take advantage of the provisions. Under the proposed Act an action would have to be brought against the tenant or the treasurer of a lodge to recover an amount, and all the particulars that were necessary for incorporation would have to be proved. He denied that it was through the influence of the hon. the Commissioner of Public Works that the Bill passed in 1873 was reserved, and stated that that gentleman was not in the Government until some time subsequently. The Orange Institution had existed for a long time and had been extending wherever the English language was spoken, and they had been able to do this without any incorporation whatever. Their friends had been in power in England frequently and they had never been incorporated there. New Brunswick was the only place where he had heard of incorporation. The societies which had taken advantage of the General Act were the Ancient Order of Foresters, the Grand Lodge of Ontario Odd-fellows, and the Grand Lodge of Ancient Free and Accepted Masons.

Mr. MEREDITH stated that the Freemasons incorporated were a seceding body, not the main body.

Mr. MOWAT replied that the fact of these societies being incorporated without difficulty showed that the Act was a simple, an elastic, and a perfect one. He stated that, rightly or wrongly, the Roman Catholics of this Province had a very strong apprehension of Orange incorporation, under a special Act. Supposing that to be all wrong, however, would it be much for the Protestants and Orangemen of this country to yield to this, so far as to incorporate under the General Act rather than by a special Act? He thought it would be a boon for the Orangemen to get what they wanted by a mode to which the Catholics, who made up one-fifth of our whole population, would have no objection. Some of the members of this Legislature would not be in their present places if they had not got Catholic votes. Would it be very much if, in deference to that large body, the Orangemen would forego the special Act, which, some how or other, a large body of our citizens thought objectionable? He had no doubt that the

impression of the hon. member for Kingston prevailed among Orangemen that they could not be incorporated under the General Act. He urged that by that Act what was desired could be obtained more cheaply, more simply, and more effectually under the general Act.

Mr. BETHUNE said he gave the Attorney-General credit for his candour in giving as one reason why the Bill should not pass that it would be offensive to the Roman Catholic body.

Mr. MOWAT—That is one reason.

Mr. BETHUNE went on to say that this matter had first been introduced into the Assembly of the Province of Canada in 1857 or 1858. It had been apparent that its effect would be to embarrass both political parties, and he believed that was the reason why it had not again been introduced until a comparatively recent period. Prominent gentlemen in the Orange Order, sympathizing politically with Mr. Sandfield Macdonald, had not desired to embarrass his Government, and Mr. Macdonald, as a Roman Catholic, had doubtless very strong feeling on the subject, but the mere fact that his Orange friends had not chosen to embarrass him in that way was no reason why the present Government should not face the question, if there was no other valid reason against acceding to the wishes of the Orangemen. He (Mr. Bethune) for his part felt no difficulty in dealing with the question, even if it had been introduced by a Conservative; for it was a matter which should be dealt with on some logical principle. He apprehended that no more important matter in relation to property and civil rights could be dealt with by this Legislature, than allaying the excitement which prevailed among an influential body in the community if it was proper to put an end to it by legislation. There was a good deal of force in what the Attorney-General had said in reference to the slight expense and trouble attending incorporation under the general Bill. He (Mr. Bethune) had made a computation of what the expense would be likely to be under the general Act. In the first place the declaration would require to be drawn up with considerable care so that the services of a professional man would be needed to insure its accuracy. He estimated that the expense of procuring incorporation for each lodge would be—putting it at the smallest figure—about \$8 25. This would represent only about \$1,000.

Mr. MERRICK—You mean \$10,000.

Mr. BETHUNE said that that was a considerable sum even on the score of economy, if there was nothing else behind. But he had no doubt that if a body of merchants were to ask for a particular Act of incorporation and hon. members have to tell them that they should incorporate under the General Act, and the merchants replied that that would cost them \$8,000 or \$10,000, if they said that by a Special Act they could get through for \$50 or \$70, there was not a member in the chamber but would be in favour of their having the Special Act. The General Bill had been introduced and was thought to have been assented to. He had no doubt, after having given the matter a good deal of consideration and investigating it as well as possible, that, constitutionally and as a matter of law, it was very properly reserved, as the Governor-General had given no instructions as to the kind or character of the measures to be reserved. The Bill was one, therefore, that had rightly come within the consideration of the Governor-General. But that difficulty had been got rid of by the despatch which declared that in future such a Bill was not to be reserved. When the petitions came before the Private Bills Committee they were thrown out, if he remembered aright, on the ground that a General Bill was passing through the House under which they might incorporate. But as the Orangemen had made their application before the General Act was passed, they had a right to consideration on that account.

It being six o'clock the Speaker left the chair.

After recess,

PRIVATE BILLS.

The following Bills passed through Committee:—

To incorporate the Leamington, Comber, and Lake St. Clair Railway Company.—Mr. Wigle.

To incorporate Trinity Medical School.—Mr. Widdifield.

Respecting the Port Dover and Lake