(Continued from second page.)

those which were essential in the Gazette. It would be better, he thought, to keep the first volume unbound, and then to bind them together, for the purpose that anyone seeking an Act might be able to find it.

Hon. Mr. SCOTT objected to changes, when he took up the Private Acts with the others, as it was not necessary that the magistrates should be in possession of them; it was quite sufficient if they were sent them all over the country with the Public Acts.

Hon. Mr. MILLER said it was a matter of great complaint all over the country that the laws were not distributed till six or eight months after the Parliament had risen. It was a serious inconvenience to persons connected with the courts especially not to be in possession of the Local Acts. Local statutes were distributed within a month after the rising of the Local Legislatures, and he did not see why the Dominion Parliament should not be able to do the same. That had always been a subject of complaint since Confederation, especially in the Maritime Provinces. Nova Scotia was generally behind hand in getting the statutes, and he thought that anything at all that would enable the Government to distribute the statutes earlier, and remedy this very serious inconvenience, would be a great boon. In his own Province every second man was a magistrate, (laughter), and the expense of distributing the public and private acts to two hundred magistrates was something enormous, not to mention that some of them were not distributed at all.

Hon. Mr. HAVILAND supported the second reading. There was no necessity for messing up the private with the public acts of the Dominion. He considered it would be quite sufficient if the table contained a list of them, indicating where they might be forced.

Hon. Mr. MILLER—Yes, that might be done.

Hon. Mr. HAVILAND—As to sending the private acts to all the magistrates in the Dominion, it entails a great expense, and is no use whatever.

Hon. Mr. MILLER did not see any necessity in distributing the private acts, as magistrates were only called upon to act under criminal enactments, and had nothing to do with the civil enactments of the Federal Parliament. Nearly all our criminal laws were contained in the statutes of 1869, and he did not see why it should not be sufficient to keep the magistrates posted with the alterations in the criminal order and no more. He suggested that the *Gazette* should be distributed as early as possible with all the alterations made. This would save an enormous expense to the country, and be a kindness to the magistrates, for the alterations would then be in a convenient shape.

Hon. Mr. KAULBACH considered it would be more expensive, and more difficult to post them up in the alterations than to send them the statutes themselves.

Hon. Mr. PENNY, remarked that there was a great deal of reason in what the hon. Secretary of State had said, and that he would have said nothing on the subject were it not that he remembered to have had some experience in trying to find private bills. By going to the library they would find that there were some years in which the private bills were not bound with the public bills, and this had been proved to be a very great inconvenience. It was all very well to say that the private bills were of no consequence, but some of them were of very great importance, and affected as many interests as did the public bills. What had been said sounded reasonable enough, but experience had proved that when these private bills were wanted they could not be procured, and a great deal of inconvenience was the result. He referred more particularly to the year 1850, when this system was tried, but after two years had been abandoned by universal desire. He thought there should be some little consideration before rushing back into a system which had been found so inconvenient.

Hon. Mr. STEAD suggested that the laws passed by the Legislature should not go into force until two or three months after enactment, so as to give the Government an opportunity of distributing them in time. Some laws required to be enforced the moment they were sanctioned, but that could be provided for by a special clause. He thought the idea of making it a matter of course that private bills should not be put into the hands of magistrates, as they often contained penalties which had to be sued for before magistrates, and the amount of which was therefore important the magistrate should know. Public officers and the legal profession had to judge according to the laws, and he thought it would be only right that some alteration should be made providing that the alterations should not be enforced till the Government had had sufficient time to distribute the statutes.

Hon. Mr. SCOTT said that taking into consideration the inconvenience that would result to the legal profession from having two volumes of bills, he thought it would be better to adopt the measure before them. Difficulties would, of course, be experienced, but he denied that statutes of the same size could be got out quicker in Ontario than they were here.

Hon. Mr. ALLAN agreed with the hon. member for Montreal (Mr. Penny) that private bills were sometimes of equal importance to public ones, and he hoped the hon. gentleman would take it into further consideration before pressing the matter.

Hon. Mr. CAMPBELL referred to the difficulty there was in distinguishing some of the private Acts from the public ones, and said that this would render the matter very difficult.

Hon. Mr. SCOTT said that since the regulation of Acts in 1859 he thought the Private Acts had really not been bound up and distributed. The proposal in this bill was that all those entitled to receive the statutes, the members of Parliament, the judges and the various officers, should receive them, but that those containing the public Bills should be distributed first to the magistrates. This would save a great deal of time, besides about $2,000. A large amount of the private legislation was mere legal rubbish, as it might use the term people got incorporated and there was an end of them. He would read a few of the names of these private Acts, "Lamp's Waterproof & Blacking Company," "The Rough Rocca Company," and so on. If the bill were read it might be further discussed in a Committee of the Whole. Carried.

Hon. Mr. CAMPBELL moved the second reading of the Canadian Gas Lighting Incorporation Bill.

Hon. Mr. DICKEY said the question arose on this bill as to whether there was any necessity of bringing it before the Dominion Legislature. He had expressed an off-hand opinion on the first reading that it was unnecessary, inasmuch as all the benefits might be obtained by a local act of incorporation. In justice to his own view, he had been very much struck with the discussion just now going on about this enormous mass of local legislation which it was the object of the bill just now read to get rid of in some way. He considered that the present measure should be relegated to its proper tribunal. His hon. friend had properly characterized some of the private bills that came before them as legal rubbish. It had been decided in the Ontario courts that an Act of incorporation in one Province gave no facilities in another, but so far as the highest legal authority could have any weight with the House his off-hand opinion was fully supported. A bank had been incorporated in Lower Canada but a short while ago, its jurisdiction being entirely confined to that province, for issuing bank notes. He did not know why the Legislature thought proper to confine its operations to that province, but it was so confined. It was a charter with powers expressly confined by its terms to the Province of Quebec. The bank, however, thought proper to get to an adjoining province, establish an agency, issue and take notes in return, and it was in having one of these notes that the case came up. It being contended that as by their charter they had no business to go out of the Province of Quebec, they could not recover the money. The court, however, decided that although in the strict sense they had been doing business illegally, yet they could recover the money as a corporation. It was admitted that a foreign corporation could sue in England, and not only could a foreign corporation sue in England or in the States, but *a fortiori*, a corporation in any State in the Union could sue in any other State. The same argument must be admitted here. These bills were defended on the ground that you could not go into any Province and sue unless you got a Dominion Act. The principle, however, for which he was contending would be found laid down in Kent's Commentaries and Storey's Conflict of Laws. It was well understood in the States, where these principles were quoted, as applicable in England as well, and that foreign corporations could sue there if they were incorporated in any country. These, however, were not the only authorities, as Chitty on Contracts confirmed the statement with regard to England. He would ask them, therefore, whether they intended to pursue this system of legislation. The subject was worthy the consideration of the House and the Private Bill Committee, and after they had discussed the propriety of this private business coming before the House, let the Committee seriously consider the question.

Hon. Mr. MILLER said that so far as the Private Bills Committee was concerned he desired had been to restrict the legislation in reference to private bills in this Parliament, and they had thrown out bills which had been subjected to their consideration again by the House. The practice which had obtained of introducing this species of legislation was owing to the Private Bill Committee. He had been but a short time chairman of that committee, but the feeling was not to extend the legislation in any way that would interfere with local legislation. Where any doubt was entertained as to the jurisdiction or conflicting jurisdiction of that committee, a discussion took place on the second reading. Although they were careful not to conflict with local parliaments, yet they did not wish to drive away legislation from the House that they could reasonably attend to. He admitted with the hon. member who had just sate down that a foreign corporation could sue in this country, in the States and in England as well; but although that was the case, there was a difference between a private local and a general Act of incorporation. By a local Act, a suit was only brought by permission, and the other side might interfere with that right by special legislation. He thought that the present measure was one of those which might fairly come before this Legislature. At the same time he would not deny that possibly in the present instance they might be able to get along with an Act from one of the local Legislatures.

(*To be Continued.*)

HOUSE OF COMMONS.

MARCH 3, 1875.

The SPEAKER took the chair at 3 p.m.

SUB-COMMITTEE ON PUBLIC ACCOUNTS.

Mr. DOMVILLE moved that the petition he had that day presented from Fraser, Reynolds & Co., asking to be heard by counsel before the Public Accounts Sub-committee be now received and read.

Hon. Mr. HOLTON contended that the motion was out of order, and a somewhat lengthy discussion ensued on the point, which was eventually decided by Mr. Speaker ruling the motion out of order.

BILLS INTRODUCED.

The following bills were introduced and read the first time:

Mr. Schultz—To incorporate the North-western Manufacturing Co.

Mr. Jette—To grant further powers to the Montreal, Chambly & Sorel Mining Co. and change its name.

Hon. Mr. Cartwright—To amend the Act respecting the Public Debt and the passing of loans authorized by Parliament.

Mr. Moss—To legalize and confirm certain agreements made between the Niagara Falls International Bridge Company, the Niagara Falls Suspension Bridge Company and the Great Western Railway Company.

INSURANCE COMPANIES.

Hon. Mr. Cartwright introduced a bill to amend the Act respecting Insurance. This measure, he said, would be referred to the Committee on Banking and Commerce and would be considered by them in detail. The object of the bill was to make licenses renewable from year to year. It also imposed certain restrictions on Mutual Insurance Companies in order that, where their business was extended to more than one Province of the Dominion, they might be placed on the same footing as other companies. The Government desired to institute a supervision and superintendence over such companies, and to create an officer to be known as Superintendent of Insurance, whose duty it shall be to enquire into the solvency of insurance companies doing business in the Dominion. It was the intention of the Government in the first place to revise the Acts affecting Life as well as Fire and Marine Insurance companies, but on full consideration of the matter it was determined to do no more at present than extend this supervision to the former. The Life Companies would be expected to submit their affairs for inspection to the Superintendent of Insurance on the same terms and conditions as the Fire and Marine Companies. There were certain minor details which they proposed to consider more carefully in the Committee on Banking and Commerce.

Mr. YOUNG asked the hon. Minister of Finance if he proposed to interfere in any way with companies that are doing business in a single province, or if the bill was intended to apply simply to those companies whose business extends throughout the Dominion or more than a single province.

Hon. Mr. CARTWRIGHT—As a general thing I may say that it is not the intention of the Government to interfere with local corporations incorporated by the provincial legislatures, and doing business within the limits of their own province; but as the question of insurance is one among those specially relegated to the care of the Dominion Parliament, I am not prepared to say that in some respects it may not be found necessary to extend superintendence over them. Our general object is to deal with companies only that do business throughout the Dominion.

The bill was read the first time.

NEW ARRANGEMENTS WITH BRITISH COLUMBIA.

Mr. BUNSTER asked—Whether the Government intend to lay the printed papers before the House relating to any new arrangements made with the Government of British Columbia regarding the construction of the Canadian Pacific Railway?

Hon. Mr. MACKENZIE—The Government have nothing to do with printing the papers. The Government have had the manuscript on the table, and the printing rests with the Printing Committee; I understand, however, they are printed, or almost completed.

CLAIMS OF CONTRACTORS ON THE INTERCOLONIAL RAILWAY.

Mr. PALMER asked—Whether it is the intention of the Government to take any, and if so, what measures for the settlement of the claims of contractors on the several sections of the Intercolonial Railway?

Hon. Mr. MACKENZIE—All the claims of the contractors are being settled as they come up.

SALARIES OF JUDGES OF COUNTY COURTS.

Mr. BLAKE asked whether the Government intended to propose any readjustment of the salaries of the judges of the County Courts?

Hon. Mr. MACKENZIE—I have had an informal correspondence with the Government of Ontario with relation to the salaries of the County Judges. Complaints have come from all quarters of the inadequacy of the present salaries. But we also found that there were more County Judges than seemed to be necessary to perform the duties devolving upon those officials, and it has been a question with the Ontario Government whether a smaller number of judges could not discharge those duties, in which case the same amount that is now disbursed for salaries might be disbursed among a smaller number. If such an arrangement as that can be carried out, it is the intention of the Government to consider the propriety of making some addition to the salaries of the County Judges.

SYDNEY AND EAST BAY CANAL.

Mr. MACDONALD (Cape Breton) asked whether it is the intention of the Government to make provision this year for the building of the Sydney and East Bay Canal in Nova Scotia, as per Engineer's report?

Hon. Mr. MACKENZIE—That matter has not been under the consideration of the Government.

SCHOOL FOR INDIANS.

Mr. GOUDGE asked whether it is the intention of the Government to establish a school or schools among the Indians of Nova Scotia similar to that established in some of the other Provinces?

Hon. Mr. LAIRD—The Government generally aid to some extent Indian schools, provided an application is made showing there is a probability of being a good average attendance of scholars maintained.

BY-LAWS AND RULES AND REGULATIONS OF RAILWAY COMPANIES.

Mr. DELORME moved for returns made by Railway Companies of their By-laws and the Rules and Regulations for the management of the Grand Trunk Railway by which the rates for passengers and traffic have been increased.

Hon. Mr. MACKENZIE—With respect to the hon. gentleman's motion, I have to say that I am afraid there have not been regular returns made of the fares and regulations as provided by the general Railway Act, but it is the intention of the Government to exact a stricter compliances with the terms of the Act in future, and to have the tariffs of fares and rates sanctioned before they go into operation. While the motion may pass, I do not think there are many papers to bring down in connection with it.

The motion was carried.

THE WELLAND CANAL.

Mr NORRIS moved for estimates and reports of Engineers in charge of the Welland Canal, as to cost of re-paving the rock bottom at Raney's Bend. He said it was a well known fact that the streams of water which years ago were sufficient to feed the Welland Canal were rapidly drying up. The water of the Grand River, which was the feeder of the canal, had for years past been diminishing as the country was cleared up and, indeed, during the last ten years there had been an inadequate supply of water for manufacturing purposes. For years past the country had been promised that the Lake Erie level should be obtained to feed the canal. During the last two or three years he had himself frequently seen vessels grounded in the canal for six or eight hours at a time; and under these circumstances the Government should lose no time in obtaining the Lake Erie level. In 1866 the Commissioner stated that since 1856, the Port Colborne approach from the junction had been gradually enlarged and deepened to obtain the Lake Erie level with a draught of ten feet of water, which object was nearly achieved. The Engineer on the work reported to the Commissioner in the same year, that with the exception of a strip of solid rock consisting of about 1,000 cubic yards, and the removal of some loose rock in the rock cutting, not more eighteen inches of other material in other portions of the canal between Raney's Bend and the lock, the operations for the purpose of obtaining the Lake Erie level were nearly completed with the exception of a strip of rock and some other work, and estimated the total cost at $53,000. Mr. Page in his report of the 8th June 1868, said that the failure of the Grand River at certain seasons to furnish the necessary supply had rendered the lowering of the water to the level of Lake Erie, a matter which could not judiciously be much longer delayed. He (Mr. Norris) was afraid that if the ensuing summer was as dry as during the past two or three years, vessels would not be able to pass through the canal unless some new arrangements were made. When the canal was first constructed and during many years afterwards, mills and factories were erected on its banks and were supplied by the Government with water power. At that time it was never anticipated that the supply of water would be so largely diminished. To such an extent was this the case that at the present time these establishments only had water one half of the time. In 1869 or 1870, while the late Government was in power, Mr. Brown was employed to remove the rock at Raney's Bend, but owing to an accident to the dam the works were suspended and they were never since been proceeded with. He hoped they would be resumed by the Government at the commencement of next winter when navigation had closed, and would be completed as early a date as possible.

Hon. Mr. MACKENZIE said instructions had been given to use every exertion in getting the water of Lake Erie into the canal. On the particular point referred to by the hon. gentleman there had been an expenditure up to the 31st December of about $140,000. The entire amount of the contract for that work was about half a million. Peculiar difficulties had been experienced in prosecuting the work, as the hon. gentleman knew, but he (Mr. Mackenzie) hoped to have the whole of the remaining rock to the depth to obtain a depth of twelve feet put under contract at an early day. He would not say anything about the other work at present, because it was quite possible that he might have something to say in connection of the item in the estimates relating to that canal, in the way of giving some more specific information.

Mr. McCALLUM said that in 1869 the engineer reported that the work upon which the Premier had just stated $140,000 had been spent, could be done for $50,000. He had seen the reports from the Government year after year, and he thought the mill owners and others living along the canal had good grounds of complaint of delay in prosecuting the work. He did not believe the work could be completed by the end of 1874, as the Premier had stated. It might be completed by that time between Thorold and Lake Ontario, but if the Government persisted in their determination to make Port Colborne the entrance of the canal, they would do well if they finished the whole work by the end of 1880.

Mr. SCATCHERD said the work on the Welland Canal was of as much importance to the whole Dominion as to the people in its neighbourhood, and it should not be considered in regard to the trouble of any particular individuals, but in the interest of the whole country. The expenditure upon the work should be made in the interest of the whole Dominion, and not in the interest of a few mill-owners living on the canal, who, according to the statement of the Minister of Public Works, were only entitled by their leases to the supply of water for their mills. Some of them were quite unreasonable. One man who had paid no rent for eight or ten years, resisted its collection on the ground that he was prevented from building a mill for two years by the failure of the Government to furnish a sufficient supply of water, and he considered the consequential damage covered the rent. What the Government could fairly do would be done. He would see the engineer with reference to the line of the Lake Erie feeder.

The motion was carried.

DOMINION NOTES CIRCULATION.

Mr. WILKES moved for a Select Committee on Dominion notes circulation. He said this motion was based on a statement brought down last session showing the amount of Dominion and provincial notes issued on the 1st January and the 1st July in each year from 1866, with the amount of such notes at each period held by the chartered banks as reserve, and the amount of specie held by the Receiver-General at each period; also the circulation and paid-up capital of the chartered banks at each period; also the estimated cost of the Dominion note circulation in connection with the Receiver-General's department, together with an estimate of the net gain to the revenue by the Dominion note circulation. For the period covering six years, given by periods of half years commencing with 30th June, 1868, when the circulation was $3,795,000, to December 31st, 1873, when it was $13,095,086, the amount varied in large increase taking place in 1871. The average circulation of the total period of six years was $5,133,870, the specie reserve held by the Receiver General during the same period was $2,011,128. This reserve also varied from year to year, the largest amount being held in December, 1871. The first return showing that Dominion notes were held by chartered banks in lieu of specie was in December, 1871, when the amount was $4,710,418. It increased to $6,869,633 in December, 1873. The return brought down last session also gave the estimated profit resulting from the circulation, premising that the money was worth five per cent. to the country. The amount of profit in 1868-9 was $188,550; cost of management, $204,857. In 1869-70 the profit was $364,317; cost of management, $209,454, showing a profit of $54,863 upon a circulation of seven millions of dollars. In 1870-71 the profit was estimated at $283,075; cost of management, $223,511, showing a profit of $59,564. In 1871-72 the profits were $369,727; cost of management, $183,707. In 1872-73, profits, $434,201; cost of management, $71,076. The average Dominion notes held by the banks amounted to 7½ per cent. of their capital over the same period of five years. The average circulation of the banks to their paid-up capital was as 45 per cent. during the same period. The average Dominion notes in actual circulation, that was to say, in the hands of the public, deducting the amount held by the banks, was $3,443,816, or less than three and a half millions. The average proportion of Dominion note circulation was one-eighth, or 12½ per cent. It might be argued that this return did not fairly state the position of the Dominion note circulation, and the benefit arising from it. He had, therefore, compiled a second statement, which he had obtained from the Auditor General, giving the figures for the additional period. It had been the custom of the Government of this country for a number of years, to deposit money in the various chartered banks. In 1870, the amount so deposited in the chartered banks was on 30th June, $3,681,000, and it continued in varying sums up to 30th June, 1873, when it amounted to $5,500,000; in 1874 it stood at $5,125,000, and on 31st December last, was $4,110,000, making during these five years an average deposit of $3,958,000 in the hands of the banks without any interest being paid thereon. The amount was distributed among twenty-nine chartered banks, in sums varying from $30,000 to several millions. Taking the average as four millions of dollars, the interest, at 5 per cent., would amount to $197,900, with which he would make the following comparison: the average profit from Dominion note circulating between 30th June, 1868, when the circulation was $3,795,000, to December 31st, 1873, when it was $13,095,086, the amount varied, a