

the Local Legislature of Lower Canada the construction and maintenance of a new Penitentiary, leaving to Upper Canada the Penitentiary now in existence in that province?

HON. MR. CAMPBELL—No doubt; but Lower Canada may arrange with Upper Canada for the temporary use of the Penitentiary, so long as she requires it, or for its permanent use, if that is thought better.

HON. MR. CURRIE—By the 6th subsection the local legislatures have the control of "Education; saving the rights and privileges which the Protestant or Catholic minority in both Canadas may possess as to their denominational schools at the time when the union goes into operation." I do not know whether the representations which have been made in some portions of the country are correct—that, under this section, the Roman Catholics would be entitled to no more schools than they have at the passing of the act? Will the Commissioner of Crown Lands please explain?

HON. MR. CAMPBELL—By this section it is affirmed that the principle of action with reference to those schools which may be in existence at the time the Confederation takes effect, shall continue in operation. Should this Parliament and the other legislatures adopt the scheme, and if the Imperial Parliament adopts an act giving effect to it, there will be found in existence certain principles by which the minorities in Upper and Lower Canada will be respectively protected, and those principles will continue in operation.

HON. MR. CURRIE—But suppose no alteration is made in the Common School Law of Upper Canada—and, as I understand, none is promised—would the Roman Catholics be entitled to establish more separate schools?

HON. MR. CAMPBELL—The present Act would continue to operate, and the honorable gentleman knows what are the rights of Roman Catholic schools under that Act.

HON. MR. CURRIE—That is the way in which I understand it. With reference to the 61st clause, I would ask is it proposed, at this session of the Legislature, to arrange the balance of the debt—not taken into the Confederation—between Upper and Lower Canada?

HON. MR. CAMPBELL—It is proposed, before any Federation scheme goes into operation, that the debt shall be arranged between Upper and Lower Canada.

HON. MR. CURRIE—In the 64th section it is provided that, "in consideration of the transfer to the General Parliament of the

powers of taxation, an annual grant in aid of each province shall be made, equal to eighty cents per head of the population, as established by the census of 1861; the population of Newfoundland being estimated at 130,000." Would the Commissioner of Crown Lands state why the population of Newfoundland is to be estimated at 130,000, while the population of the other provinces is taken according to the census of 1861—Newfoundland thus being allowed 8,000 of a population more than it would be entitled to under the census, and being allowed to take in on that basis \$200,000 more of debt, and also receiving more subsidy than it would otherwise be entitled to? If we are to assume that the population of Newfoundland increased 8,000 between 1861 and 1864 or 1865, why should not a similar increase be allowed to Canada? Assuming that the population of Canada increased at no more rapid rate, we would have an increase of 160,000, which would entitle us to go into the Confederation with a debt exceeding that with which we now go in of upwards of \$4,000,000, and which would give us \$130,000 a year more of subsidy. I cannot understand why the population of Newfoundland should be taken at 130,000, when all the other provinces—most of them, at all events, increasing in population much more rapidly than Newfoundland—go in with the population ascertained by the census of 1861.

HON. MR. CAMPBELL—The reason is just this, that there happened to be no census taken in Newfoundland in 1861. The last census there was some years before—I think in 1857. The estimated increase, if I recollect rightly, was based on the increase which had taken place during the period between the previous census and that of 1857; and, taking that ratio of increase, it was found that the population, at the time of the union, would be close upon 130,000. We therefore put it at that figure.

HON. MR. CURRIE—The honorable gentleman is right in saying that the last census of Newfoundland was taken in 1857; but the increase should have been reckoned only for a period of four years, and I can scarcely believe that Newfoundland could be entitled to an increase of 8,000 in its population in four years, giving to that colony the benefit of four years' increase more than Canada. Our census was taken in 1861.

HON. MR. CAMPBELL—Not at all; we all go in with the amounts of our respective populations estimated at the same time; 130,000 was the estimated population of New-