

paid to cover the fines that the several parties were liable for under that law I acted on the impression it was my duty to set the vessel free. If I have done wrong by so doing it was from the want of not knowing better. I may further say that I am of the opinion that the whole amount was not paid by the master or owners of the vessel, but was made up by ten parties concerned in the transaction: the money was paid to me by the Messrs. Whiteman, who were also interested in the matter."

That was in reply to the following from the department:—

"Referring to your report of the seizure of the schooner *Abbie M. Deering* for infraction of the fisheries laws and regulations, I have to point out that you appeared to have released the vessel on a deposit of \$800. The penalty is confiscation: the law admits of no compromise or of anything less than the value of the vessel being deposited. I am desired by the hon. the Minister of Customs to ask upon what authority you accepted a deposit of anything less than the value of the vessel, or released the vessel, without instructions or authority either from this department or from the Department of Fisheries?"

The explanation which Mr. Torey had given was as follows:—

"On the evening of the 22nd instant I received a telegram from a party at Canso informing me that the United States fishing schooner *Abbie M. Deering* of Gloucester, Jeremiah Gordon, master, had landed fish during the previous night and would sail the next day. I at once telegraphed word to Mr. Young and directed him to seize the vessel and I would go down on the following day, which I did, and after making further enquiry I found that the vessel was from the banks, had no license and that the charge was correct and could be sustained. I then proceeded on board, saw the captain and other parties concerned in the transaction, and they admitted the charge and stated there had been landed 4,600 lbs. codfish and a quantity of halibut, and had taken on board about 4 tons ice, and wished to have the violation arranged forthwith so that the vessel could proceed on her voyage. I made them the offer that they could do either, namely, let the law take its course or pay a fine of eight hundred dollars for the violation committed upon the Customs Act, the Treaty of 1818 and the laws in connection therewith, with the addition of whatever expenses were incurred in the matter. They accepted the offer and yesterday paid the money, namely, fine, \$800, expenses, \$25, and I released the vessel. This arrangement was made with the understanding that there was to be no further proceedings taken on either side in this case beyond the privilege of the owners appealing to the Minister's generosity for a reduction of the amount of fine if he thought proper to do so."

That report is dated the 25th April, 1890, and is the report which was put in by Mr. Torey previous to the letter I have read. This officer claims that in accepting \$800 he acted in the best interest of the department. He says that at that time it would have been impossible for him to make this seizure because he had not the requisite power that he could call out at this place, and therefore he could not do any more than he did; but nothing further was said. The fine was paid and accepted and was returned to the Government. As a matter of course, Mr. Torey thought the thing was ended. Here was an officer who had been employed for twenty years and had been performing the duties of his office in a manner which gave entire satisfaction to the best people in the county. He was a man who was so vigilant and so energetic that he allowed no opportunity to pass without seeing the law carried out. In fact he had made many enemies on account of the vigilance with which he looked after smugglers and others, and saw that the law was put into operation. Yet he gets no notice in regard to this until after the election. I have said that Mr. Torey was a supporter of the Government, and he is so now. As far as an official could act, no man could be a stronger supporter of the Government than he was. Indeed it was claimed by the opponents of the

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present Government in the county, that he was so strong a Government supporter as to merit condemnation as an official. His house was the place of all others in the county where the supporters of the Government met, and he did all he could, consistently with his office, and, as his opponents claimed, more than he should for the Government. But, when the election took place last year, he did not see his way clear to vote for the Government candidate and he remained at home. I cannot understand why it was only after the election that this was considered a sufficient cause for his dismissal as a fishery officer. The truth of the matter was that Mr. Torey, having done this, his whilom Conservative friends thought that he was not a man who could be left any longer in office. His opposition was not against the present Government or their policy, his opposition was of a personal character, and just because he did not vote, the Government dismissed him. Now, I claim that when an officer has served them well for over twenty years he ought not to have been treated in this manner. Mr. Torey is not an old man, he is still able to do the work; I venture to say that he is better able to perform the duties of overseer of fisheries and collector of Customs, than any man in the county; I venture to say he knows more about the fisheries of the country and the laws relating to the fisheries, and can give better information to the Government, than any man in the county. Now, even provided the contention of the Government was correct, provided even that he did violate the statute, he did it not wilfully, but he thought he was acting in the best interests of the country. But I want to call attention to another matter in connection with it. It was not until this spring, some time in May, that he received a notice that he was dismissed. In May he wrote a letter to the department, complaining of the harshness of his dismissal after twenty years service to the best of his ability, and asking to be informed of the reason of his dismissal. The department returned answer that there were two reasons, the one on account of his conduct in the seizure of the United States fishing vessel, and the other on account of his advanced age. I submit that his advanced age was no reason. Mr. Torey is not so old as to be unable to perform his duty. That was in May last, and between the autumn of the previous year and that time, there was nothing said to him about his contemplated dismissal; and I venture to say that only for the fact that Mr. Torey did not see fit at the last election to vote for the Government—and it was a personal matter—he would not have been disturbed, there would not have been a thought of dismissing him. If action had been taken immediately upon what the Government claim to have been a violation of the law with regard to the seizure, I could understand it, for we all know that the Government deal with these matters very summarily. Everybody knows that when Mr. Ross committed a violation of the law he was not allowed six or eight months to think over it, he was dismissed almost immediately.

Mr. TUPPER. No.

Mr. FRASER. How long was he kept in?

Mr. TUPPER. Over a month.

Mr. FRASER. Exactly, but the seizure was first made in April, 1890, and the notification of