

accept the hard-and-fast lines which the hon. leader of the Opposition has laid down in this and other cases. That hon. gentleman, if I understand him, takes the ground that if the Government of the country make a contract with an individual for the performance of a certain work, they are entitled to pay public money under that contract, provided it is carried out, and under no other circumstances. I ask the hon. gentleman, am I right in understanding him to take that ground, that Parliament is only warranted in paying public money for the services rendered under the contract made between the individual and the Government?

Mr. BLAKE. No; I never took such a position.

Sir CHARLES TUPPER. Then, I would like to ask the hon. gentleman to say what he means.

Mr. BLAKE. I tried to explain it, but I despair of explaining it.

Sir CHARLES TUPPER. Then I want to know what the hon. gentleman's long address has reference to. The Government took every means to ascertain what amount the man was legally entitled to. If he was legally entitled to this money, the Government would have paid it without waiting to ask Parliament for it; but the hon. gentleman takes the ground that Parliament should refuse to pay the money because it was not earned under the contract. If he does not take that ground, he has no ground to stand on. The hon. gentleman has gone into the details of this matter at great length—for what purpose? I am extremely obliged to him. When Captain Dick claimed that he had an equitable claim on the Government for a certain sum of money, and we had no means of ascertaining it by testimony under oath, we called upon the means provided by the law, a Government arbitrator, to investigate the claim and report to the Government. He investigated it under oath, and made his report; and the details the hon. gentleman has read prove that Mr. Buchanan went most laboriously to work, and took the utmost pains to have all the facts placed clearly before him. With what result? With the result of arriving at the conclusion that, although Captain Dick had no legal claim on the Government, he had a just and equitable claim. What did we do? We did not then agree to pay it. The hon. Minister of Justice reported that there was not a legal claim, in view of the facts as reported. Then Captain Dick asked that to which every man has a right at the hands of the Government, when they dispute a claim, that is a reference to a tribunal chosen and paid by ourselves; and that reference was made to a full board of arbitrators, as the Government were bound to refer the claim, if they had a doubt as to the propriety of payment on the report of a single arbitrator. What was the result? The result was that a majority of the board that sat upon the case, and went exhaustively into it, again reported, in the light of the sworn testimony in their hands, that Captain Dick had an honest and just claim on the Government for the payment of so much money. I ask, what else could we do but come down to Parliament and say, There are the facts and we ask you to pay the money. My hon. friend has told you the condition of the country, and the condition that Captain Dick was in; and he has told you that, notwithstanding all his sufferings and losses, the moment his patriotism was appealed to, the moment the Government of Manitoba called on the men under him to abandon their work for the protection of the country, Captain Dick at once, loyally and regardless of his own interests, placed every man at the service of his country. I am astonished that the hon. leader of the Opposition should, for a single moment, question the justice of this claim. It must be obvious to every hon. member in the House, that the Government and this House should either refuse to permit a dollar of public money to be paid to anybody unless he faithfully and com-

pletely carries out his contract with the Government, or they should not. If they are only to pay what has been earned under the contract, I ask the hon. gentleman why the Government of which he was a member, paid Captain Dick this money? He says they overpaid Captain Dick \$1,100. Why did they do it? He had not completed his contract; he had not built a boat.

Mr. BLAKE. What Government paid it?

Sir CHARLES TUPPER. Your Government. If the hon. gentleman refers to the papers he will find that it was in 1876 that these payments were made to Captain Dick. It is perfectly obvious, from the statement of Mr. Buchanan, that this contract was taken at an extremely low rate, and that if Captain Dick had not got it the work would have been done at an enormous amount above that at which he took it. These forty or fifty mechanics went into the country under the unusual circumstances as described by my hon. friend; they found themselves surrounded by 500 painted savages with tomahawks, and were entirely at their mercy, and this was when the country was in a most excited condition, full of emissaries from a country in rebellion who were exciting these Indians to warfare; yet the hon. gentleman says these men were not alarmed in the slightest degree. It was simply the fact, he said, that they had undertaken an unprofitable contract that caused their alarm. But if that were the case they need not have waited. The sub-contractors could have run away and deserted the work. The state of the country would have excited most people, though it is possible men accustomed to the Indians and their habits, might not have felt alarmed, but other people could not help feeling much alarm and anxiety. I do not believe any hon. member of this House will take the position that the Government is not entitled, not merely to use the hard, dry, legal construction of the contract, but to deal out fair and just treatment to Captain Dick, for the energetic and determined efforts he had made to carry out his contract in the face of such an extreme condition of things in the country. Is Canada so poor that she is compelled to keep this money which should go to the poor contractors who could not carry out their contract, owing to circumstances over which they had no possible control? I do not believe it. There is not an independent member of this House who will not say the Government would have been wanting in their duty, if, with the fact placed before them, they had refused to investigate their claims, and when it had been declared fair and just, and deserving the consideration of Parliament, by their own court, they should have refused to ask Parliament to provide for it.

On Resolution 247,

To pay Jos. Whitehead, Contract 15, the difference between cost of work and contract prices..... \$86,200.00

Mr. WATSON. Is any of this money paid out yet, and what arrangements will be made to pay it?

Sir CHARLES TUPPER. None of this has been paid. Measures will be taken to see that all the creditors receive their due share, and all the creditors will be treated on the same basis.

Mr. BLAKE. I suppose notice will be given by some officer limiting the times in which claims may be brought in and investigated. The Government will act as a trustee?

Sir CHARLES TUPPER. Precisely.

On Resolution 252,

To refund to Mr. H. G. O. Ketchum amount of an overcharge for the conveyance of rails, &c., in 1866-67-68, over what is now a portion of the Intercolonial Railway..... \$1,637.70

Mr. BLAKE. A portion of the papers in the case have been brought down, and they show that the hon. member