

require the present ferryman at Cross Point, Restigouche, to use a steam ferry-boat for that service.

MR. BABY: He is not required to do so by his license; but in due time the ferryman of the place in question will be required to do so.

TENTH ROYAL REGIMENT, TORONTO  
MOTION FOR RETURN.

MR. CASEY, in moving for an Order of the House for (1) Copy of Commission to Colonels Durie and Denison, to investigate the affairs of the 10th Royal Regiment, Toronto, in reference to difficulties between its officers; (2) Copy of their report and recommendations; (3) Copy of any order or orders made by Lieut-General Sir E. Selby Smyth, in the premises; (4) Copy of correspondence between T. Rolph, lately an officer in said Regiment, and the Department of Militia, in reference to further investigations; (5) Copy of Commission to Colonel Taylor, and other officers, to make a second investigation; (6) Their report and recommendations; (7) Any subsequent order or orders of the Lieut.-General commanding in the premises, said: I suppose hon. members of the House, at least from Ontario, are aware that great difficulty arose in that regiment between the Colonel Commanding and several of the officers, and that two investigations sprang out of the difficulties. I think it would be in the interest of volunteering generally and the public service, that the facts of the case should be brought out here.

MR. MASSON: I hope the hon. gentleman will not press his motion, for if he did and it was carried by this House, it would be establishing, in my humble opinion a very grave and serious precedent in regard to our dealings with the militia force. Questions similar to this have been brought up in this House before, and every time they have been successfully resisted, it being held that these questions should not be brought before the House. This House is not the proper tribunal to revise decisions of Courts-Martial, or courts of enquiry. I could understand this action being taken if the subject was one of great importance, or if a great grievance was complained of; but it is not of that importance which, at times, induced the English Government to grant such a commission. The hon.

gentleman knows that this is only a matter of discipline, and if any grievance has existed it has been remedied by the tribunals which judge military men in this country, and which proved conclusively that Parliamentary interference was not necessary. I hope the hon. gentleman will not push his motion further. I remember when I sat in this House in 1868, questions similar to this relating to Colonels Dennis and Shaw were brought up, and the Government, in both cases, resisted the motion. The subject was fully discussed, and no less a gentleman than the hon. member for Centre Huron opposed the motion. The argument Sir George Cartier put successfully to the House was as follows:

"Anyone conversant with Parliamentary practice in England must be aware that papers connected with the proceedings of a Court of Enquiry should not be laid before Parliament. Again and again motions similar to that made by the hon. member for Lambton had been made in the English House of Commons and rejected by the Ministry of the day. The mover of the motion had argued that the papers should be laid before the House as a matter of right, but it was abundantly evident from English precedent that the House had no right to receive such papers. The proceedings of a Court of Enquiry were in their very nature confidential, and the proposition that, as a matter of course, they should be laid before Parliament, was too absurd to be established. In this case it was not alleged that any injury had been done to anyone connected with the enquiry, and considering English precedents and the former practice of the House, he regretted to state that the Government could not consent to bring down the papers."

On that the hon. member for Lambton withdrew the motion, and I do not think the hon. gentleman on this occasion can take a better guide than the hon. member for Lambton, the more so that every hope was entertained that the 10th Royals would be soon restored to its former state of efficiency.

MR. CASEY: I confess I had not looked up the precedents bearing upon this matter, not supposing that any difficulty would arise in regard to the bringing down of those papers. I am surprised at the doctrine laid down by the hon. the Minister of Militia that these enquiries are strictly confidential, and not to be discussed in Parliament. If there are precedents for this contention they are bad ones and should be changed. These enquiries do not refer to matters