

intention was to land the raft at Point Abino, about midway between Port Colborne and Fort Erie, as it was impossible to enter Port Colborne with a raft of that size. Along the Welland Canal are situated a number of mills, and it seems that the person in charge of this raft desired to land it at Point Abino for the purpose of selling a portion of the timber to the mills on the Welland Canal if possible. He was simply coasting from one Canadian port to another, and the question arises, by what authority did the Custom house officers of the Dominion seize a vessel and a raft in transit between one Canadian port and another? The raft was duly cleared from the Canadian port, French River, to the Canadian port of Fort Erie, and it was on its way to the latter port when seized in Lake Erie, or in the Detroit River, and the owner of the raft, Mr. Joseph Jackson, formerly a member of this House, was obliged to deposit a large sum of money, more than covering the amount of the export duty, although the Government had no proof that there was any intention to export the timber. If there had been any fraud, or if the tug had taken the raft to a United States port, it would have been responsible for a breach of the revenue laws, and could have been seized, and it was worth much more than the raft. The sum which the owner was compelled to pay to the Government was largely in excess of what would have been sufficient to pay the export duty, and the balance is still in the hands of the Government. I think the Government in this case took a most unwarrantable course and inflicted a great injustice on the owner of this raft. The intention was to land it at Port Abino, where the owner was to decide whether he would transport it or any portion of it to the United States, or whether he would sell the whole or a part of it in Canada. I call for these papers for the purpose of ascertaining on what authority the Government made the seizure, and I hope they will be able to show some reason for what seems on its surface to have been an unwarrantable assumption of power and an infliction of a great injustice on the owner of the property.

Mr. BOWELL. The hon. gentleman's statement is not altogether accurate. In the first place, the tug *Rooth* never was seized, never was detained; there was no interference with her on the part of the Customs officials. The raft should, before leaving French River, have made entry and paid the export duty upon the logs.

Mr. CHARLTON. Before going to Fort Erie?

Mr. BOWELL. Yes, she was going to Fort Erie ostensibly, but was intended to go to Tonawanda. The contention was that she intended to report at Fort Erie, and make her entry there, but that is directly contrary to the law and to the regulations of the Department. No vessel and no proprietor of logs has a right to sail from any port in Canada for the United States *via* any Canadian port until the proper entry has been made, the timber measured, and the duty paid. Concessions have been made in the past, by some of the officers permitting this to be done, but we have found that, where it has been conceded, great difficulties have arisen in ascertaining the actual quantity that left the original place of departure, wherever that might be. Instructions have, therefore, been given that no raft shall be permitted to leave any

Mr. CHARLTON.

part of the Dominion for any other place in a foreign country without the entry being made and the duty paid. This raft was detained for having illegally left French River without having made the proper entry and paying the duties. The hon. gentleman (Mr. Charlton) is quite right in saying that a large deposit was demanded by the officer, but, as soon as this came under the notice of the Department, instructions were given to the inspector to make a thorough investigation into the case, ascertain as far as possible the quantity of the logs, exact the full amount of duty, and remit the balance. The reason why the balance has not been remitted is, that there is a dispute between the party who ostensibly owned the logs and the bank at Tonawanda, which claims the money. Our position is, that we must be sure that we are safe in handing over the money. Another investigation has been held by Mr. Mewburn, the inspector, and instructions have been given to pay over to the Blake firm, with which Mr. Lash is connected, the balance, and Mr. Lash the other day expressed himself quite satisfied, because I told him that the money would be paid through his firm and a receipt taken from him, and that they would be responsible if the money was not properly paid over. As to the tug, the *Rooth*, she was never detained, she remained at her own option and could have left whenever she pleased.

Mr. CHARLTON. It seems a very extraordinary thing if the Customs Department are to take upon themselves the authority to determine where a raft or a vessel is bound for, and to go behind the clearance and assume that she is going to some point that she has not cleared for. This raft was bound for Fort Erie, and, if the owner could have sold any of the timber in Canada, he was no doubt anxious to do so in order to avoid the duties. If he could not do that, he would have to go elsewhere, but it is a very curious thing that he should in this way be prevented from doing what he desired. The Minister says that the raft was bound ostensibly for Tonawanda. It was bound ostensibly for Fort Erie, and it was really bound for Fort Erie, and went there, and, if the owner had not been placed in the position he was, the probability is that a portion of the logs would have been sold to mills on the Welland Canal. I think the Government has been guilty of a high handed act of injustice. If a raft cannot leave the Georgian Bay for some port in Canada without being obliged to pay export duties for what the owner desires to sell in Canada, I think the Customs Department is taking a course which is not warranted. Any one has a right to go from one port in Canada to another if he chooses, but, if the owner of a raft takes it to the United States, then let the raft or the boat which tows it be seized. If the owner clears his raft from one Canadian port to another, do not deem that the man is a scoundrel, that he intends to defraud the revenue, that he is a fraud, but assume that he is a British subject and hold him responsible if he violates the law. I think the sooner the Government comes to the conclusion that, when a man clears a raft or a vessel from one Canadian port to another, he is to be regarded as honest in the act, the better. If he violates the conditions of his clearance, then seize him, but do not assume that he is a villain until there is some proof of it. I know that the owner of this