

Government of New Brunswick should pay, if anybody should pay this claim; the question whether the Government of New Brunswick should call for indemnity from this Government; the question whether there is any claim of any person against this Government, and the question whether it is a claim of Mr. Ketchum or Clark, Major & Co. The hon. gentleman says he submitted the claim to Mr. Shanly, who, he knows, was not a lawyer; he says he submitted it to Mr. Schreiber who, he knows, is not a lawyer either. Did he ever submit it to the hon. Minister of Justice or any legal officer of the Government, or was any legal opinion obtained on any of these questions of law which are mixed up with the facts, and from which the facts derive their importance?

Sir CHARLES TUPPER. I am not aware, but I presume that Mr. Shanly had the assistance of the Department of Justice, and that whenever he was in any doubt upon a legal point, availed himself of that assistance, on this occasion as he did on others.

Mr. BLAKE. The hon. gentleman has no knowledge, however, of any opinion having been obtained, and the matter was not submitted by him to any legal officer?

Sir CHARLES TUPPER. I will not say that, because I do not remember.

Mr. BLAKE. Well, I must say, I think further information on this subject should be put into the hands of hon. gentlemen before they are asked to concur in this vote.

Mr. WELDON. Was the Government of New Brunswick furnished with a copy of the Commissioner's report?

Sir CHARLES TUPPER. I will promise the hon. gentleman to supply it with the claim when we make it.

Mr. McMULLEN. Was Mr. Shanly charged with merely deciding whether Mr. Ketchum was entitled to the money here asked for, and who should pay him?

Sir CHARLES TUPPER. The hon. gentleman ought to know that I have again and again stated—I cannot find intelligence for the hon. gentleman to appreciate the plainest possible statement. If he paid any attention to this discussion he would know that I have said again and again that the whole question, with all the papers and the whole discussion between this Government and that of New Brunswick as to who shall pay and what shall be paid, should be referred to Mr. Shanly. It is somewhat irritating to find, after a statement has been reiterated again and again, that the hon. gentleman should still wish it to be repeated.

Mr. McMULLEN. I did not hear it before; I have heard it now.

253. Intercolonial Railway—Land and other claims. \$10,255.00

Sir CHARLES TUPPER. This is a vote for paying claims arising out of the construction of the Intercolonial Railway, which continually arise and require to be dealt with, and are only paid after a most full examination as to their character.

Mr. BLAKE. Are these not old claims?

Sir CHARLES TUPPER. They are claims some of which are in connection with the original construction of the road.

Mr. WELDON. Are any of them on the portion between St. John and Shediac?

Sir CHARLES TUPPER. Yes, on every portion of the road.

Mr. BLAKE. I do not think we can agree to vote this money on that statement. If these are old claims in connection with the original construction of the road, some in connection with the European and British North American road, we ought to know what they are before voting the money.

Mr. BLAKE.

Sir CHARLES TUPPER. I will give the hon. gentleman every information on Concurrence.

Mr. MITCHELL. I can give the hon. gentleman some information on this subject. I have had several claims from my county to present and cannot say I met with much satisfaction. Several claims have been made by parties, arising out of the construction of the Intercolonial, for damages, which have only arisen, probably, within the last few years. Under the Mackenzie Administration, I know from experience, that but little attention was given to such claims. I recollect in the instance of the poor widow's cow, it took me a whole month before I could prevail on that Administration to pay her loss. I find great difficulty in getting claims for damages caused by the Intercolonial, considered, but in several instances in which the hon. Minister has given his attention to them they have been referred to the official arbitrators. I was flattering myself that this \$10,000 for railway and other claims, was intended to cover these just claims, not of much account, but yet claims which I know to be correct. I have no doubt the official arbitrators will shortly report to the Government, and I hope it will then be dealt with, and that the result will be as satisfactory in getting out of this Government the just payment of these small amounts, as was my attempt in getting out of the late Liberal Government the claim to which I referred. If there is any money paid improperly on these accounts, we will have an opportunity of investigating them before the Public Accounts Committee next year. I believe the arbitrators are now on their way to enquire into a number of these petty claims that have arisen out of the construction of the Intercolonial Railway. In the case of one of these claims, a farmer's land is overflowed every spring from the want of sufficient drains to carry off the water. I know this is a just claim, I have pressed it for some time, and at last the Minister has very properly stated that he would refer it to the official arbitrators. Another claim is about a mill property, the approach to which from the river has been very seriously interfered with. It is difficult to get logs to it, because the gravel pit which was dug out let the water from the ditches flow into the mill dam, and filled it up with gravel and sand. I presented that claim when I represented Northumberland in the former Administration, and subsequently it was presented by my successor, but with no better results than I had met with. I hope, now that these gentlemen have come to Parliament, and asked for a sum of money to cover these claims, that we will not refuse to grant it, so as to enable them to pay the claims without delay, if the arbitrators report favorably. I take this opportunity of coming to the rescue of the Minister of Railways, and at the same time to impress upon him the desirability of making prompt payment.

In answer to Mr. CASGRAIN,

Sir CHARLES TUPPER. I have a vote of \$2,000 for the Rivière du Loup Branch, to pay land claims awarded by the arbitrators, and among these is that of Lucien Morin. In addition to the full amount allowed him by the arbitrators, there is also the amount of his costs as taxed by the hon. Minister of Justice, \$244.21.

Mr. CASGRAIN. That is a mistake, because the Judge has taxed the bill himself at \$444, according to the Statute.

Mr. WELDON. Are there any claims now before the Department for lands on the European and North American Railway?

Sir CHARLES TUPPER. Yes.

Mr. WELDON. I hope those claims will be examined with great caution. I have reason to believe that some of these claims were satisfied by the original Commissioner, Mr. Robert Jardine, and I think they were all settled. Some of these claims are now ten years old.