

such a case? I can understand with regard to the civil service that there is a desire on the part of the officials to stand by each other. They form a kind of organization, not an absolute organization, with secretary and president and so on, but they have their ideas and their system, and the minister is very apt to be entirely influenced by his subordinates; and if a minister does not stand by his subordinates, he soon loses caste with them, and is perhaps driven by them into a certain line of conduct. I would suggest to the hon. Minister of Trade and Commerce to consider whether he would approve of that.

Hon. Sir RICHARD CATWRIGHT—There is another clause that I wish to reserve, and I shall reserve this also if the hon. gentleman desires it, and confer with the Minister of Marine and Fisheries and report to the House afterwards.

Hon. Mr. LOUGHEED—The hon. Secretary of State points out that the courts at one time intervened by certiorari and removed the case out of the hands of Commander Spain. There may have been the best of reasons for doing so.

Hon. Mr. POWER—We should bear in mind that these inquiries are investigations into the acts of captains and other officers of vessels who come peculiarly within the jurisdiction of the Department of Marine and Fisheries, and there is another circumstance that it is very desirable that these investigations should not be protracted, I mean that the decision should not be long postponed, and if you open the door to appeals of all sorts on technical grounds, the injury done to trade will, in some cases, be very considerable. We should bear that in mind. I think the minister is doing the right thing to let the clause stand.

Hon. Sir RICHARD CARTWRIGHT—The department deals with certificates exclusively. That would hardly be a thing that would come in any shape or way within the jurisdiction of a court. The department informs me that this clause does not prevent an appeal by the owners to the Admiralty Court.

Hon. Mr. ROSS (Halifax)—Let us suppose a case; suppose two steamers enter-

Hon. Mr. ELLIS.

ing port come into collision and one is severely damaged while the other is only slightly damaged. The vessel slightly damaged would want to proceed on her voyage as early as possible; hence the necessity of an early inquiry to avoid delay. Then, after the report would be made, the owners of the injured vessel would likely libel the other steamers. We had a case of the kind in Halifax where the decision was against one steamer in the Admiralty Court. It was referred to the department at Ottawa and the decision was confirmed. It was referred afterwards to the Supreme Court and the decision was reversed.

The clause was allowed to stand.

On clause 3,

Hon. Mr. POWER—The more this clause is considered, the more objectionable it appears. I fancy it was drawn with reference to a condition of things on the great lakes. Whatever the condition of things may be on the lakes, this clause, if put into operation on the Atlantic coast, would be most injurious. The truth is that at the present time there is a shortage of qualified officers on the Atlantic coast, and the effect of making this clause law there would be very injurious indeed. As it is now, there are a number of Norwegian captains and mates serving in ships in the maritime provinces. These men very often begin pretty low down in the service.

Hon. Mr. SCOTT—It will not affect the Norwegians.

Hon. Mr. POWER—If the hon. gentleman is in a position to state positively that Canadians, without being naturalized in Norway can become masters and mates there, then this would not apply to the case of Norwegians. There is no reason why a rule which suits one place and does not suit another should be made applicable to the two places, and I would suggest the addition of a subclause something to this effect:—'Such refusal,' that is the refusal to admit to examinations 'may apply to all Canada or may apply to one or more provinces, ports or places at the discretion of the minister.'