

my duty as one of the representatives of the people. It is perfectly true that my attention was brought to this subject by the case to which reference has been made; but, as I say, my own opinion is, that it would be better that the power to review the decision should be omitted from the discussion and consideration of this particular question. It should be treated, and I trust it will be treated, simply on its merits, and the merits of the question are: Should it be a matter to be disposed of by a Minister, or by a Deputy Minister, without any special training or experience, the question of whether a person's property is or is not forfeited? Hon. gentlemen will remember that my Bill is not repealing; it is assuming this right, though I would willingly accept the other conclusion; but if the Minister is to have that power ought he to have the power of summoning witnesses? That is the first clause. Ought he to have the power of examining witnesses on oath, or of issuing a commission for the examination of witnesses who cannot attend? When he decides the matter, should there be the right of appeal; or is his decision irrevocable? If the House does not care to accept the main provision, there are some provisions which the hon. member for North York (Mr. Mulock) thinks should be adopted, and certainly the House should not say that the Bill should be read the second time this day six months, but that it should be read the second time on this occasion.

Mr. POPE. I have listened very attentively to my hon. friend from Simcoe (Mr. McCarthy), and I have listened to the slurs—I may say, the rather impudent slurs—which he has cast upon my hon. friend from Stanstead (Mr. Colby). I do not think he had any right to say that my hon. friend was influenced by having an interest in this patent. Whether he had an interest in the patent or not I do not know, but I would ask the hon. member for Simcoe whether he did not have a large fee for carrying this matter before the courts? and having obtained that fee, whether he thinks he should not do what he can for those clients of his, and show them that he is doing his best to earn his fee? I ask him this question, though I do not suppose he is influenced in that way. I know he is far removed from influences of that kind. But still lawyers and attorneys are like other men—they are apt to be influenced. Not that I think that my hon. friend would be influenced, but still I think he would like to serve his client, and to show him that he had done what he could to support a measure in this House which he thinks would suit his client. I think he would like his client to feel that he had earned his money, and certainly he has no right to cast aspersions on my hon. friend from Stanstead (Mr. Colby), for anything he has done in this House, unless he is prepared to take the same himself. Now, what is the condition of these men who came to get this patent? Did they come here blindly? Did they come without knowing what they were doing? Has anything been forced on them? They came to get this patent under a contract between them and the State. They came here and said: We want a patent; and the Government replied: We will give you a patent under certain conditions, one condition of which is that you shall manufacture that instrument in this country, within a certain time, and that you shall not import it after a certain time. These are the conditions; and if those gentlemen had complied with them, there would have been no case of this kind; there would have been nothing of this description here. But they failed in those conditions—they thought they could dodge those conditions. It is true that they did bring in these articles, and although they failed to bring them in within the time prescribed by the Act. I did not think the accident of their not getting them in within the time was a criminal matter. But they attempted to dodge the conditions by manufacturing all the parts, by punching all the holes, by making all the bars and other parts that could be made outside, and bringing them in and putting

them together. I would ask if that was manufacturing them in this country? I say that the industrious people of this country, who give privileges to these patentees, have their rights in the matter. But that is not all. The next complaint is, that I, the Minister of Agriculture, or my deputy, for whose every act I am responsible—that I am not responsible to the people of this country.

Mr. McCARTHY. No.

Mr. POPE. "Not amenable to public opinion"—those are his words. Now, I would like to ask, Is a judge sitting in court more amenable to public opinion than I am? Is it possible the hon. gentleman means that I am not amenable to public opinion in any decision I may render? Am I not more so than are the judges who are appointed for life, who do not have to go to the people, who do not have to appeal to this House for support? Is such a man less amenable to public opinion than I am?

Mr. McCARTHY. I said the hon. gentleman was too much amenable to public opinion; that he had to come to this House—to go to public opinion, to court public opinion, and that a judge should not be in that position.

Mr. POPE. I say, in the next place, that if the hon. gentleman's Bill passes there will be no relief to the poor man; there will be no chance of his getting justice. I am not saying this in any sentimental way, or because I am crying out for the poor man's interests; but I do say that the public would not undertake these cases, as the hon. member for Stanstead (Mr. Colby) has said, if they had to go to the courts for justice. And more than that, Sir; if they were to be dealt with in that way, when, do you think, decisions would be rendered? The very object of the Act is that in matters of this kind decisions shall be promptly given. Of course, there may be other questions of law, etc., arising out of the Act, in which I have no right to decide; they go to the tribunals; but these mere questions of fact between the State and the patentee I am bound to decide, and the result is, I think, that justice, and speedy justice, is done. There was another point raised by the hon. gentleman with regard to the examinations, but I would just say that in this case I had no great difficulty in getting at what I believed to be the rights of the matter. I found no difficulty in cross-examining the witnesses, and they were thoroughly cross-examined. I am certain we got at the truth; but I felt, during the investigation, that if I had had the power—if I had had power to bring before me some men who did not come there, they might have thrown some light on the subject. Upon that I do not disagree with the hon. gentleman very much; but upon the other aspect of the matter I must say I shall have to support the motion of my hon. friend for the six months' hoist.

Mr. COOK. I wish to make a few observations in connection with this matter before a vote is taken. We have now in this House the leader of the Government and the Government benches, the leader of the Opposition and the Opposition benches, the left centre in the person of the member for Northumberland, N.B. (Mr. Mitchell), and we have now the right centre in the person of the member for North Simcoe (Mr. McCarthy). Well, Sir, we are getting quite a number of parties here. We find that the hon. member for North Simcoe does not agree with his friend the Minister of Agriculture upon this question, and he taunts the member for Stanstead (Mr. Colby) with being interested in this telephone business. It has been said by other speakers that it might be said that the hon. member for North Simcoe was interested. Well, whether he was interested or not, of course, in his position as solicitor, this matter entered into his mind from the fact of the question coming before the courts. Now, Sir, I am entirely opposed to taking away this power from the Minister of Agriculture