

take it to the Supreme Court. The bill reads: Deposit as security for respondent's costs, \$500; estimated cost of appellants, solicitors, agents, &c., \$300; preparing factum, 250 pages, \$590. That, in fact, was prepared from that used in the Court of Appeal, and the work could be performed by any clerk. Printing, say 300 pages, \$450; senior counsel, \$1,000. The hon. member for North Simcoe charges \$1,000 to argue the case in the Supreme Court, and the junior counsel charges \$500, making \$2,950 more. Then they expect to be defeated in the Supreme Court of Canada, and they are making provision to carry it on to the Privy Council, and let us see what that will cost. Deposit on the respondent's case \$1,500; solicitors' and English agents' fees, \$1,500; printing, \$1,000; senior counsel from Canada and expenses, \$5,000. It is needless to say that the senior counsel for Canada will be the hon. member for North Simcoe, and there is to be a junior counsel who charges an additional \$1,000. That makes \$6,000 in all for fees. Then, in case the bill is not large enough, they put in an item for contingencies, \$2,850, making a total cost of \$20,000. Now, this bill was so enormous that the Minister of Justice in his correspondence stated that \$11,500 ought to be sufficient and according to his recommendation, the estimate this Session is for that amount. But next Session, if hon. gentlemen opposite are present, no doubt this estimate will be supplemented by another item, in which further sums will be asked to pay the hon. member for North Simcoe and his friends the amount of money which they claim. Well it is a nice thing to farm out these things, and to go to England in the month of July, and to go before the Privy Council for the sum of \$5,000. Many people would like the chance of doing that merely on a little advice to the First Minister as appears to have been the case in this instance. I state that the Government have not brought down the correspondence in this case. I state that there has been correspondence between Mr. McCarthy and the Government, which is material, and which has not been brought down, and I prove that by the memorandum prepared by Mr. Burgess, the Deputy Minister of the Interior, in which he says:

"Directions as to the action to be taken in this case were conveyed to me by the right hon. the First Minister during your absence in the North-West. Sir John Macdonald has also noted on the back of the letter from Mr. Dalton McCarthy, Q. C., dated 28th September last, that the Department will indemnify the company for the costs of the appeal."

Now, Sir, it was not only that company alone who were applying to the Government to pay their costs, as would appear by these papers brought down, because these papers appear—with the exception of one in which an estimate of the costs is made—to have been written by the president of the milling company. But somebody is behind all that, and that somebody is the firm of McCarthy, Osler & Creelman. Mr. McCarthy appears to have written the First Minister, not as a member of the firm, but as Mr. McCarthy, according to the memorandum I have read. Now, I say it is a disgrace and a shame, after what we know has taken place with regard to this territory, that the Province of Ontario should be forced to contend for its rights in the courts of Ontario, and that this Parliament, with representatives of that Province, should undertake this litigation against the Province of Ontario, and that the costs should be paid by the people of Canada. I can well understand from this item and others in the Supplementary Estimates why the Government delays to the last moment in bringing down the Estimates. The reason is perfectly clear. The object of the Government is to stifle the shady transactions. I do not believe that the people of this country would submit to allow this Government to take out of the public Treasury money for the purpose of defeating, delaying and embarrassing any single Province of the Dominion. The

conduct of the Government has been an outrage on the Province from which I come, and I believe that, when the time comes, the people of the country will show unmistakably that they consider it to be so.

Mr. MULLOCK. Is there any other liability against the Government in respect to this lease?

Mr. McLELAN. I know of none.

Mr. DAWSON. I understand that the full papers in this case are not yet printed so as to enable the hon. gentleman to judge of the merits of the case.

Mr. LISTER. Here are the papers. The case has been before the country for the last ten years.

Mr. DAWSON. Those are not all. However confident the hon. gentleman may be in his own opinion, the fact is that the papers which would throw light upon this matter are now being printed. This is a mere item in the Estimates, upon which the hon. gentleman takes occasion to bring up, in a great measure, the whole question. But this is no time to discuss it. It is a pity that the motion, of which the hon. member for Bothwell has given notice, was not proceeded with, but I think when the hon. gentleman mentions in his resolution the extreme west and north, he might also have taken in the extreme east, which has also been decided upon by that judgment of the Privy Council. The lines as determined by that decision clash, and it put the eastern boundary at a line drawn due north from the confluence of the Mississippi and the Ohio. The Government of Ontario suggested that an Act should be passed to amend the decision of the highest court of the realm, but I have always maintained that it was better to send the report back for amendment. The case is not at all in the position in which the hon. member for Lambton represents it to be.

Mr. MULLOCK. I think there is a principle involved in this matter. We find the Government entering into an agreement to indemnify this milling company in respect of certain costs, and the money the Government pays in this case, goes into the pocket of a member of this House. Here is a letter from the firm McCarthy & Co., to Mr. Vankoughnet, the Deputy Superintendent General of Indian Affairs, dated the 9th of October, 1835:

"THE QUEEN vs. THE ST. CATHARINES MILLING AND LUMBERING COMPANY.

"DEAR SIR,—Captain Murray, president of the defendant company informs us that he has to day sent to you a request to forward to us as solicitors for the company, a cheque for \$1,500 to cover deposit with court as security for costs and other disbursements in connection with the appeal herein. We hope to have the pleasure of receiving this cheque early next week, as the required expenditure must be made without delay."

One cannot read these papers without coming to but one conclusion, that is, that this is a suit carried on in the name of the St. Catharines' Milling Company, but really by this Government, and the Government are in an indirect way placing the money in the hands of one of their own supporters who is a member of this House. Of course the Government have a right to defend those who have claims upon them for protection, and to employ such counsel as may be necessary to do so. But this is another illustration of the charge made against the Government, that directly or indirectly their supporters in this House are using the public Exchequer to put money into their own pockets, and in that respect I attack this transaction, if in no other. I asked the Minister a little while ago if there was no other liability attaching to the Crown in connection with this transaction. One shook his head, and another stated that he knew nothing; but if we assume that we are liable to defend this company in its litigation, and if that litigation fails, we shall have to go further, we shall have to meet a bill of damages for breach of contract. If this company have any legal or moral right to compel the people of Canada to pay the costs of prosecuting their claim, they