

Hon. Mr. MACDONALD (B.C.) from the Committee, reported the Bill with an amendment, which was concurred in.

### HARBOUR COMMISSIONERS OF MONTREAL BILL.

#### THIRD READING.

The House resolved itself into a Committee of the Whole on Bill (99) "An Act respecting the Harbour Commissioners of Montreal."

(In the Committee.)

Hon. Mr. ANGERS moved that a second section be added to the Bill, providing that the Mayor of Montreal shall be *ex-officio* a member of the Harbour Commission of Montreal.

The motion was agreed to.

Hon. Mr. MACINNES (Burlington), from the Committee, reported the Bill with the amendment, which was concurred in.

The Bill was then read the third time and passed.

### CRIMINAL CODE AMENDMENT BILL.

#### THIRD READING.

The House resolved itself into a Committee of the whole on Bill (43) "An Act to amend the Criminal Code 1892."

(In the Committee.)

Hon. Mr. POWER—I wish to call attention to a slight clerical error in section three of the Code. The House will remember that the Code was put through rather hurriedly last session, and although we corrected a good many errors here, some remained. If hon. gentlemen will look at the paragraph marked "K" they will see that the word "such" should be struck out, because it refers to something which, I suppose, was in the Act out of which this language was taken, but which is not in our Code. I move that the word "such" be struck out.

The motion was agreed to.

On the tenth paragraph.

Hon. Mr. POWER—I do not see why this section should be added. There does not seem to be any good reason why the consent of the Minister of Marine and Fisheries should be considered necessary for the pro-

secution of an offence under sections 256 and 257 of the Code. It is perfectly proper that those guilty of the offence should be punished, but why is it necessary to obtain the consent of the Minister of Marine and Fisheries for the prosecution?

Hon. Mr. ANGERS—This is to correct an error which occurred first in the Bill of 1891, and seems to have been overlooked ever since. The section is necessary for the protection of the master from a mutinous crew. Nothing is so likely to occur as a mutiny against the captain, and a refusal of the crew to go to sea, and when the men are brought before a magistrate, they generally charge that the ship was unseaworthy. It has often occurred at Quebec, late in the fall, that sailors, not wishing to go to sea, have made charges of this kind against the master of the ship, causing such delay often as to keep the vessel over through the winter. If it is provided that the consent of the Minister of Marine and Fisheries shall be had, the crew will not be so likely to enter a prosecution on frivolous grounds. The object of the clause is to protect the ship-owners. It should be borne in mind that the master of the ship is as much interested in having the vessel seaworthy as any of his crew. I think the clause is necessary and should apply not only to sea-going vessels, but to vessels on our great lakes.

Hon. Mr. KAULBACH—I consider the clause a wise one. A case occurred in the County of Lunenburg of the kind to which the hon. gentleman refers. Some malicious sailors intimated to an insurance company that the vessel on which they were engaged was unseaworthy, and the company instead of investigating the claim prosecuted the owner. The prosecution failed to establish the charge.

Hon. Mr. POWER—There is some force in the statement made by the hon. Minister of Agriculture, but as a rule sailors do not themselves have the owner of the vessel indicted for attempting to send an unseaworthy vessel to sea. The rule is that the sailors refuse to go to sea on the ground that the vessel is unseaworthy.

Hon. Mr. ANGERS—Yes, but we want to prevent them doing that without a reasonable foundation for the charge. When there