

department would be willing to adopt it, but under the letter of the Order in Council which, I believe, has been heretofore consistently acted upon, the registrar was entitled to the payment, and legally, I suppose, was not less entitled because he got the copy which he furnished for nothing. If that be so, we would fail in proceedings to make him refund, and of course the department has no locus standi to take proceedings to compel him to account to the petitioner.

I will be glad to consider any further observations or suggestions which you may have to make upon the subject, but I must add that I do not see any reason arising out of the circumstances of this case on account of which the Government should recoup the deposit. The money has been paid in the only way in which the Government ever undertook or became liable to pay it, and if the registrar declines to make the proper application of it, that would seem to be a matter between him and the parties beneficially entitled, and although we would be willing to do what we reasonably can to ensure the proper disposition of the money, yet we cannot, I think, assume any further liability. I may say, further, that the difficulty, so far as the parties to the proceedings are concerned, seems to arise principally from the rule made by the judges that the stenographer's charges should be paid out of the petitioner's deposit. I am considering the authority of the judges to make such a rule, but as at present advised, I am of opinion that it is inconsistent with the statute and therefore ultra vires.

I have the honour to be, sirs,

Your obedient servant,

(Sgd.) E. L. NEWCOMBE,  
Deputy Minister of Justice.

Macbeth & McPherson, London.

Now, Mr. Chairman, the expenses in connection with this trial were enormous. Of course the trial lasted a long time, and the expenses for which the Government are responsible were also very great in comparison with other election trials, the London election trial exceed them all. Take, for instance, the South Brant trial where two judges were employed in each trial the same as London, and each judge received \$100. The expenses in connection with South Brant, all told, were \$248.75; in connection with North Brant, \$365.52—this is the amount of money paid by the Government. East Durham, \$236.45; North Grey, \$227.15; East Northumberland, \$240.63. In connection with the London election trial we paid for the judges, \$200; sheriff, 21 days, \$105; sheriff, four notices, \$6; advertising, "Free Press," London, \$3.60; advertising, "Advertiser," London, \$3.60; 7 constables, 21 days, \$1.50 each per day, \$220.50; crier calling cause, 60 cents; administering 131 oaths, \$19.65. Then we paid Mr. Robertson for 24 days \$144; paid Mr. Robertson as registrar, \$23.65; paid Mr. Robertson, hotel expenses, \$55; paid laundry for Mr. Robertson, 40 cents, making a total of \$223.05 paid to Mr. Robertson for twenty-four days during which he was engaged in connection with the trial. Then he also received \$751.10 for simply mailing a copy of the evidence he received from the stenographer to the

Speaker of the House of Commons. Then the petitioner was called on to pay out of this fund to Mr. Butcher, the stenographer, \$976.80. So we have these two young men employed twenty-four days, and giving other twenty-four days for copying the evidence we have these men receiving a total of \$1,950.95, a sum equal to that paid to two "Hansard" reporters who spend four months in this House, or equal to the indemnity of two members who spend a similar portion of the year here. I think the judges acted wrongly in this case. Whether these claims were justified or not, and the deputy Minister of Justice has his doubts on the point, I would ask the Government if it is possible that they can take such proceedings as will result in the money being returned to the treasury and from the treasury to the petitioner, who, I think, is entitled to it; and if not, I think the Department of Justice should at all events wipe out the Order in Council, which cannot be of any use in the present state of affairs.

Kingston Penitentiary..... \$167,000

Mr. BRITTON. In regard to Kingston penitentiary, what is intended by addition to prison equipment, \$5,400?

The SOLICITOR GENERAL. A new wing has been built, and it must be equipped and rendered fit for use by providing beds and furniture.

For a line or lines of steamers to run between St. John or Halifax or either and the West Indies and South America.... \$78,600

Mr. ELLIS. I would like to ask the Minister of Trade and Commerce if any representations have been made to him with respect to the character of the steamers on this route? There is a feeling that the steamers which are employed for this work are not up to the requirements of the service. A very severe competition comes from New York, and certainly the influence of the department ought to be exerted to give us better steamers. There is a very good subsidy paid for this service, but nevertheless the steamers are not at all up to the requirements of modern travel. They are not only slow but they are not fitted up as they should be. It is quite apparent to every person that the West India trade has not developed as it should, in view of the assistance given to the West Indian steamers. There is complaint also that the Ontario people are not making use of the facilities which are afforded to them by this service to develop the trade between Canada and the West Indies. However, I am not so much concerned with that as I am concerned with the desire of the people of the maritime provinces that better steamers should be employed.

The MINISTER OF TRADE AND COMMERCE (Sir Richard Cartwright). I may say to my hon. friend (Mr. Ellis) that some