

he (Mr. Blake) was sorry to hear him pass such a bad compliment to the legislation of the late Government. The House had now learned from the hon. gentleman that the arbitrators who were the servants of the late Ministry, appointed by and dependent on them, were not impartial in their decisions. Reckless as the hon. gentleman was in his assaults on the character of his opponents, he should never have been so base as to attack men who were not present to defend themselves, or to insinuate that they had done injustice to the subject whose judge they were, unless he had some ground for it. This law was not confined to the Public Works Department. Other Ministers adjudicated on claims. It was only when the decision of the Minister was unsatisfactory that there was reference to the arbitrators. In all these years during which this law was on the Statute Book these same difficulties occurred, or they did not. If they did, the hon. gentleman should have amended or abolished the law; if they did not, there would be no harm in allowing the law to remain as it stood until next Session.

In the first place, the power to refer under the Statute was guarded, the whole Government being collectively responsible. In the second place, wherever the principle was one of law it would be good policy to refer it to the judicial tribunal. Lastly, if the point were one of accounts, and not involving any question of law, the arbitrators' tribunal might be simpler, cheaper and more effectual than the Court.

He had no knowledge of the manner in which the arbitrators had discharged their duties, but he had no doubt they had done their work well.

Hon. Mr. TUPPER observed that he was glad to find, that although he did not have the advantage of being a lawyer, the Minister of Justice had felt the necessity of sheltering himself under the guns of the right hon. member for Kingston and the hon. member for Cardwell. He (Mr. Tupper) had read from the Act itself the definition in this relation; it stated that in any case in which either before, or within two months after the presentation of the petition the claim

is under the Statutes in that behalf referred to arbitration by the head of the proper department, who is thereby authorized, with the approval of the Governor in Council, to make such reference upon any Petition of Right. So the hon. gentleman would see that under the clause to which he was adhering with such tenacity, that power of referring to official arbitrators the claims sought to be brought before the Supreme Court was not only conferred, but also the rights which the petitioners held under the law; they were prevented from ever going before the Court mentioned. He left the House to decide whether he had said a single word reflecting upon the impartiality of the arbitrators; it was not from himself that the hon. gentleman learned that these arbitrators held positions under the Government, being liable to discharge at anytime, for this was stated in the Statute Book. A difference existed between the appointment of the arbitrators and Judges, the latter being perfectly independent of the Administration.

Sir JOHN A. MACDONALD said the Hon. Minister of Justice had hardly been fair in stating the hon. member for Cumberland had made a charge against the Dominion Arbitrators. What the hon. gentleman did say was that there must be greater confidence in a tribunal where the Judges were independent than in one which was not. That involved no charge against the arbitrators, who he believed had discharged their duties well. The Minister of Justice had also stated that he (Sir John) was responsible for forming that tribunal. He had introduced the Bill in 1867, taking it from the old Act which was in existence before he was Attorney General at all.

After some further discussion the clause was adopted.

The Bill was reported without amendment, read the third time and passed.

At Six o'clock the House took recess.

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AFTER RECESS.

SUPPLY.

On the motion to go into Committee of Supply,

Mr. WORKMAN said—When I had the honour, Mr. Speaker, of addressing