

down, but the damages in these cases were never alleged to be excessive, and I think it would be but justice to these people, having adopted the principle in the case of McLeod by allowing him \$5,000 for his costs, that they should adopt the principle in the case of the others.

Mr. BRECKEN. The case of Mr. Stewart was brought to my notice in the Island. He sustained very serious injury indeed. He is an elderly man, a barrister; he is a very philanthropic man, was some years Indian Commissioner in the Island, and has certainly laid by nothing out of his profession. He sustained very serious injuries indeed, so much so that when he was in the hospital, his life was despaired of, and now one affliction he has got is a stiff neck. He can scarcely walk along the street. He was awarded \$1,000. That was considered very low indeed, but that was awarded by the Court of Exchequer, very much out of proportion to the damages which were awarded in other cases, and the costs he had to pay were over \$400. He did not net \$600.

Mr. DAVIES. He got \$600. Allowances were made by the attorneys.

Mr. BRECKEN. Perhaps, next to Mr. McLeod, his injuries were more severe than any of the other people who suffered by that accident, and he is a very old man now, over eighty, and I do not know what his means of support are, scarcely. Although he is a very philanthropic, kind old gentleman, he is almost without means, and he felt it very hard indeed. If he had got the \$1,000 he would not have been adequately compensated for the injuries he sustained, and I know as a fact he has not quite netted \$600.

Sir CHARLES TUPPER. I presume that is the principal item. You say these other parties were very poor, and I suppose there was not much loss in their cases.

Mr. DAVIES. The costs were about the same in all the cases. The petitions of right had to be filed in each case, and the costs, of course, were small compared with McLeod's, because the witnesses were called in his case and paid by him, and the evidence was accepted in the other cases without being gone over the second time, so the costs were comparatively small. When the cases came from the Exchequer Court the Crown appealed in each case, and certain costs could not be avoided. There were agents at Ottawa and the counsel on the trial on the Island.

Sir CHARLES TUPPER. I am surprised to learn how much less generous the legal profession are to their professional brethren than the medical. Such a thing as a medical man making a charge to one of the same profession is unknown. No matter what length of time or the services might be, it would be unheard of in the profession to which I belong. But my sympathies are greatly excited, finding that this respectable member of the profession has suffered so at the hands of his professional brethren. If the particulars are furnished to me, I certainly will submit to my colleagues whether that question should not be considered, and some means found of giving a little more redress than he seems to have obtained.

Mr. BLAKE. I hope the hon. gentleman will not confine it to the lawyer. Of course, an anchorite like the hon. gentleman has not the sympathy I would have with the women, but my hon. friend has referred to Mrs. Murphy and others who were sufferers.

Mr. DAVIES. The hon. gentleman has referred to the lawyers. I may say that Mr. Stewart's associates in the Island did not charge him anything at all.

Sir CHARLES TUPPER. I am glad to hear that.

Mr. DAVIES. But Mr. Stewart had nothing to do with the gentlemen in Ottawa. Of course, they did not know

Mr. DAVIES.

anything about him, and they charged the ordinary fees, and made a very handsome deduction when I represented to them that he was a solicitor.

Sir CHARLES TUPPER. If my hon. friend will give me a statement of the actual amounts that these parties have been compelled to pay in order to discharge the costs that they incurred, it is worthy of consideration whether the same principle ought not to be applied to them to some extent that has been applied to Mr. McLeod.

Mr. BLAKE. May I invite the hon. gentleman's attention to the rearrangement of this item.

Sir CHARLES TUPPER. That is already done. It will go to collection of revenue.

#### CHARGEABLE TO COLLECTION OF REVENUES.

##### Canadian Pacific Railway.

|                                                                                                                                                                                                                                |             |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| Subsidy for railway and highway bridge over Red River at Emerson (revote) .....                                                                                                                                                | \$20,500 00 |
| Salaries and expenses of inspecting Engineers; land, and other unsettled accounts. To pay Thomas Temple for the use of the Temple & Miller Patent Flanger, on the Canadian Pacific Railway, during the winter of 1880-81 ..... | 9,000 00    |
| 234 To pay T. Lusted for two horse toboggans supplied in 1879, in connection with the Fort Frances Canal .....                                                                                                                 | 300 00      |
| To settle the claims of Messrs. Smith & Ripley, for work on the Georgian Bay Branch. To settle the claims of Messrs. Sifton & Ward, contractors, between Red River and Cross Lake .....                                        | 16 00       |
|                                                                                                                                                                                                                                | 83,000 00   |
|                                                                                                                                                                                                                                | 17,400 00   |

Sir RICHARD CARTWRIGHT. What is the position of this crection at Emerson? What does it cost?

Sir CHARLES TUPPER. The position is this. There was an appropriation of \$20,500, and this is a revote. At the two last Sessions, \$50,000 was voted for the expenditure for the year 1882-83, but at that date the amount voted ceased to be available. The expenditure had been only \$15,000, and the remainder consequently lapsed. An amount of \$10,000 being afterwards required on account of this subsidy, an Order in Council was passed to issue a special warrant for the amount. On the 15th November, the Chief Engineer reports that if an assurance is given that an ice-pier will be constructed to protect the work from the ice shove, the work is sufficiently completed to justify the payment of another sum of \$10,000. The Order in Council is dated November 24th, 1883.

Salaries and expenses inspecting Engineers, &c...\$9,000 00

Sir RICHARD CARTWRIGHT. Will the hon. gentleman explain this vote for inspecting engineers, &c.

Sir CHARLES TUPPER. These are the inspecting engineers in connection with the work that is now going on on the Canadian Pacific Railway, under the contract—the engineers that are inspecting the work and making the returns to the Government as the work proceeds.

Mr. BLAKE. But it also is a sort of *omnium gatherum*. It embraces "land and other unsettled accounts." I do not see anything about repairs and improvements, but almost everything else.

Sir CHARLES TUPPER. There is \$2,000 for that. Salaries and expenses of inspecting engineers, land and other unsettled accounts are expected to cover \$9,000. Of that, the salaries and expenses of four engineers take \$6,000; land and other unsettled accounts, \$2,000; and printing Minister's speech, \$1,000; in all \$9,000.

Sir RICHARD CARTWRIGHT. What is the cost of the Minister's speech?

Mr. BLAKE. Is that to be charged to the capital account of the Canadian Pacific Railway?