

confiscation of the ship : so that I have no hesitation in saying that provision is designedly put in, to compel every owner of property in ships to become a suppliant to the Minister in order that he may get back the property taken from him.

Mr. TUPPER. The hon. gentleman states what is not true, and he is also out of order in saying there is any design of that kind on my part.

Mr. MILLS (Bothwell). I am not out of order, nor am I stating what is untrue. I am stating what is in the Bill. I am stating that the Bill provides for confiscation of the ship in every case.

Mr. TUPPER. You stated there was design.

Mr. MILLS (Bothwell). I say there can be, in my view, no two opinions upon that point. What can be the object of the Minister in attaching confiscation, where the penalty is \$50, if it is not to force the proprietor to come to him as a suppliant in order to obtain the restoration of his property, which has been, if you will, improperly and unjustly taken from him. And is this House, representing free men, and I apprehend the fishermen of the country are free men, going to make these people the slaves of a Minister of the Crown? Why, Sir, the Emperor of Rome, in the palmiest days of its arbitrary power, would not venture to assert against the meanest citizen of the Empire the right which the hon. gentleman has undertaken to assert against the fishermen of Nova Scotia. I say that such a proposition is monstrous, and this House would be wanting in its duty to itself and in respect to the free men of this country if it would tolerate legislation of this kind.

Mr. TUPPER. The only excuse for this extraordinary excitement the hon. gentleman has worked himself into over this Bill is found, I think, in the confession he made to the Committee that he literally did not know anything about purse-seines, or apparently about the fisheries. Whether he made that confession or not, it is quite certain he does not understand the temper of the fishermen of the Maritime Provinces, if he thinks that sort of argument, which the hon. member for Queen's (Mr. Davies) would not deign to use, no matter how much he might be impressed with the evil of passing the Bill, knowing, as that hon. gentleman does, the intelligence of the fishermen of the Maritime Provinces, will go down with them. I can only say to the hon. member for Bothwell (Mr. Mills) that, if he thinks it will, the sooner he goes down to the Maritime Provinces and becomes acquainted with the people there the better it will be for him, and the fewer appeals of that kind he will make in this House. This idea of his of our taking the fishermen under control and making them serfs of the Minister of Marine is entirely new and unfounded, and only took rise in the excited imagination of the hon. gentleman, an imagination unduly excited through his having made several misstatements and extraordinary propositions in the argument he addressed to the Committee; and having worked himself into a passion, he endeavoured to find vent for it by charging me with perpetrating a gross outrage on the fishermen of the Maritime Provinces.

Mr. MILLS (Bothwell). So you are.

Mr. TUPPER. Let me tell the hon. gentleman who were those who brought to the attention of Parliament the dereliction, if I may so call it, on

Mr. MILLS (Bothwell).

my part in not having done before what I am now attempting to do. Representatives of Prince Edward Island in past Parliaments called my attention to this, and petitions were received from the fishermen asking for this legislation.

Mr. DAVIES (P.E.I.) This legislation?

Mr. TUPPER. To prohibit the use of purse-seines.

Mr. DAVIES (P.E.I.) That is another matter.

Mr. TUPPER. The hon. gentleman was so weak in argument that he had to resort to that old argument of his, that old trick of endeavouring to rally his forces by appeals to their passions and prejudices, and by making statements that I must characterize as absolutely absurd, as applied to the fishermen. This is an extraordinary power, he says, which I am attempting to exercise over the fishermen. They are to become my slaves, forsooth. The pardoning power, the power of remission, is attempted to be introduced. I would point out to him that that power has been in the Act from year to year, that it was put there to protect these very men from the mistaken acts of fishery officers clothed with magisterial powers, that it was put there in the interests of men who might be fined improperly. Then the hon. gentleman says the sooner this power is taken away the better. Out with it, he cries, and proceeds in a most excited tone to discuss a Bill that is not considered so very dangerous by gentlemen more familiar with the subject, and who have undertaken to give their views in a calm and fair manner to the House. It is wonderful that this great constitutional authority should have felt compelled to have recourse to temper and passion in discussing a great constitutional principle, a great question of law, a great question of power, the jurisdiction of Parliament and the executive. Has he forgotten the very A B C of the legislation of this country? What has he to say about the powers of the Minister of Customs? Did he thunder in this House in reference to the confiscation of vessels, if caught in the act, and the punishment of owners for violating the Customs laws?

Mr. MILLS (Bothwell). What did the courts say?

Mr. TUPPER. What did the hon. gentleman say by his vote and sanction, when he allowed this dreadful, this outrageous legislation, to be put upon the Statute-book without saying a word, or pointing out to the merchants of this country that they were to become the slaves and serfs of the Minister of Customs? What about the criminal laws? Has the hon. gentleman in his excitement forgotten that there is a pardoning power also, not in the judges, but given us over these judges, whom I have insulted because I said they were not acquainted with the subject of purse-seines? And I can repeat that I do not believe there is any judge in any of the provinces who would at present say he knows the first thing about them or has ever looked into the subject, as to the injury they may do our fisheries, except perhaps one or two. Yet the hon. gentleman insinuates that a Minister of the Crown has insulted the judiciary because he stated that in considering the question the judge would naturally take into consideration the arguments of hon. gentlemen opposite, that he would be influenced by the fact that we were not certain as to