

means for the prevention of the shifting of a grain cargo. I take it that there will be no objection to that. The Bill was before the House last Session, it has been on the Order paper for some time this year, and has been in the hands of shipping men throughout the country, and I am very glad to say that no objections have been urged to these very proper amendments to our law. The only persons who could properly object, I submit, would be those reckless owners who buy up unseaworthy crafts and send them to sea utterly reckless of how life is endangered. I have introduced a section into this Bill, in consequence of the representation of the collector at the port of St. John, pointing out the possibility of an evasion of the present law regarding deck loads. He mentions that that law has been evaded at that port, though, on enquiry, he was unable to give the name of any ship that had been guilty of the evasion. However, he stated that, under sub-section 1 of section 7 of the Act, it was possible, and had been done, for a ship to clear for a port in Africa, and to go to Europe, and so evade the law. I have not heard of any evasions of that kind in any other place, but I submit, that the clause will prevent the possibility of such an evasion taking place. Section 6 of the Bill is necessary in connection with the clause referring to grain cargoes, and enables the Custom officers to go on board of a ship, to find the way in which these cargoes are stowed, and it is somewhat similar to the Act in regard to port wardens. Section 8 is an adoption of the clause in the English Act relating to contracts of service, and it is properly included in this Bill. It provides that, in every contract, there shall be a condition implied, notwithstanding anything in the contract itself, of seaworthiness on the part of the ship, and that all reasonable means to insure that seaworthiness shall be taken.

Mr. DAVIES (P.E.I.) Do I understand that the hon. gentleman intends that all vessels of any size or description—for instance, small schooners of from thirty tons to seventy or eighty tons, carrying grain from one Province to another, as from Prince Edward Island to Richibucto or Shediac, or other ports on the north shore of New Brunswick—are to have shifting boards?

Mr. TUPPER. Neither in the Act on our Statute-book nor in the English Act is an exception made in regard to any vessel. It is necessary, in every case, that sufficient means shall be taken to preserve life. It is not necessary that a shifting board should be used in every case, but the necessary means must be taken, whether by sacks or bags or shifting boards. The same reason applies to every ship, no matter where it may go or what may be its size, whether it goes to Queen's, Prince Edward Island, or to any more distant place, that precautions shall be taken to ensure the safety of the ship and of the men who are on it. I understand that the construction of a ship with a shifting board involves a very trifling expense, and these shifting boards are now used by a large number of vessels both in the inland waters of Canada and in the coasting trade, especially in the carrying of grain. It is to make this general and to compel all owners to adopt those precautions, that this Bill is now introduced. The Act does not confine it to shifting boards, but says: "or other proper precautions to prevent the cargo from shifting." I think the hon. gentleman will agree with me that necessary precautions should be applied to all ships alike.

Mr. MITCHELL. I think, perhaps, my hon. friend the Minister of Marine has not considered this sufficiently. It may be all right to apply these measures to long voyages, like the Atlantic voyages, but when he applies them to vessels going for a three or four or five hours run from Prince Edward Island to the mainland, or on coasting voyages, I think the hon. gentleman would do well to consider the effect of such a provision

Mr. TUPPER.

upon the trade, before he introduces it. This practice of copying English legislation is getting to be a fad with the Ministry of the day. I do not apply that in any offensive sense to the measure of the hon. gentleman, but it is not necessary always that English legislation should be adopted here. It should only be adopted as far as it can be adapted to our own case. I think the suggestion of the hon. gentleman from Prince Edward Island (Mr. Davies) has a good deal of force in it, and the Minister should consider that before he presses these amendments, because I doubt very much if it is well or in the interests of Canada for him to adopt that provision.

Mr. DAWSON. There are two classes or kinds of navigation in this Dominion. There is the navigation of the great lakes, and there is the navigation of the ocean, and they are very different in many respects. I shall say nothing in regard to ocean navigation, for there are many hon. members here who come from the Maritime Provinces who are much better qualified to speak on that subject than I can be. But with regard to the navigation of the great lakes, I may say that this Act, and the legislation which has already taken place on this subject, make, I should say, quite law enough. So far as legislation goes, the safety of ships, after the passing of this Bill, will be pretty well provided for. But what does all that amount to unless there can be some means adopted whereby the law will be enforced? I do not see any provision in this Bill for the enforcement of the law. Vessels go out on the great lakes overloaded, they go out improperly manned, without being properly provided with sails, ropes and anchors. A schooner loaded with wheat, for instance, starts from Port Arthur or some other port on the great lakes. She is so much loaded that there is scarcely two or three inches of what lake navigators call seaboard left; and the consequence is that if a storm comes up that vessel is immediately cut adrift when danger arises. A great many losses have occurred in that way. Now, I would suggest that the Custom house officers, at the different ports, should have power conferred upon them to prevent an overloaded, or unseaworthy vessel from going out. It often happens that vessels do go out, which, instead of being manned by sailors, are manned with landmen, with men on board who have had no experience in navigation, and the result is that when the barge, or schooner, loaded with wheat, is cut adrift, they do not know what to do, and the consequence is the loss of the cargo and the loss of the men. It is very difficult always to get proper seamen on the great lakes, because there are no sailors there who make an exclusive profession of navigation. We have navigation for only six or seven months in the year, and during the remaining five or six months these men are obliged to do something else for a means of subsistence. Consequently, we cannot find as skilful men on the great lakes as on the ocean, where they are constantly engaged in navigation. But on the great lakes men who have only six months' experience are employed, and they are very often wanting in the requisite skill. Too often, also, people who get freight in schooners are not careful who they put on them. The steamers, as a rule, are well enough manned, but the schooners are generally very poorly provided for, both in equipment and in men. A case of that kind occurred some years ago at Port Arthur. A schooner, named the *Jane Hurlburt*, in the fall of the year, took on board some 30 or more navvies, and the vessel was put in tow of a steamer. She had neither sail nor oar, and they trusted entirely to the steamer to take her to her destination, which was not very far. It was late in the fall, and in passing one of the entrances to Nipigon Bay, a storm arose, blowing off the shore. The sea was not very heavy, and it was such a storm as any ordinary vessel, well manned, could have resisted. But that vessel began to fill, and the moment the sea got up the