

Mr. Fleming, who said: "You will have to buy it at a much higher price in the future." If it is thought we have more land than is necessary, we can sell half of it for more than the whole of it cost us, and have a terminus for nothing, that will do us for the next twenty years.

Hon. Gentlemen—Hear, hear.

Hon. Mr. SCOTT—I am not prepared to say that is not the true policy, notwithstanding what Mr. Fleming thinks. The Government did what any Administration would do—tried to find two honest, fair men who would deal between them and the owners of the land. Mr. Mackenzie wrote to Mr. Pardee to recommend a man who knew the land. He sent for Mr. Wilson, a life-long Conservative, who had surveyed the lands there, and associated with him a Mr Reid, of London. The Government lost all sight of it when it was delegated to gentlemen who were supposed to be respectable and who knew all about the subject. The valuers went about their work in the ordinary business way. Some hon. Senators seem to think the proper way would have been to arbitrate. The experience I have had of arbitrations—and I have bought right-of-way for railways—has been that, whether it be a Government or a company, the purchaser always suffers, and it is always better to make bargains in advance. I asked Mr. Reid if he thought the Government had made a better bargain of it than if they had submitted the matter to arbitration. He said, certainly not, or he would have done so. It is assumed that Mr. Brown was an interested party who was the legal adviser of the arbitrators. The evidence on record is this: Mr. Brown was employed simply to examine the deeds; but the Committee say, "you should have instructed him as to what he should not have done." What did Mr. Mackenzie do when he heard Mr. Brown was interfering with the arbitrators? Would it not have been only fair to Mr. Mackenzie to have put that letter in the report?

Hon. Mr. MACPHERSON—If the hon. gentleman had said so in the committee, the letter would have been put in the report. It is referred to in the report, and it is in the evidence.

*Hon. Mr. Scott.*

Hon. Mr. SCOTT—Here is what Mr. Mackenzie wrote:—

"(Copy)

"OTTAWA, 2nd August, 1876.

"SIR,—I am informed by the valuers at Fort William that you gave an opinion that no legal notice of the intention of the Government to take possession of certain parcels of property had been given.

"When the valuers were informed they could consult you on any difficulty in titles, it was certainly not the intention of the Department to submit to you the interpretation of an Act of Parliament, but simply to render any legal help in the routine business they might find necessary to ask. The opinion you did give, is repugnant to the law and contrary to the interests of your employers, (and, of course, is in the interests of the former owners of the land,) who took possession of it in January, 1875.

"Your duty was simply and solely to see that titles proffered were good and sufficient before payment could be made to the owners.

"I understand, also, that you are personally interested in some of the lots to be conveyed. Of course, the titles of such lots cannot properly pass to us except through the hands of another solicitor.

"I shall await your explanation before adopting any new course. In the meantime I have directed the Secretary of this Department to request you to take no further action in the business.

"I am, sir,

"Your obedient servant,

"(Signed) A. MACKENZIE.

"P. J. BROWN, Esq.,

"Ingersoll."

Would it not have been fair and just to Mr. Mackenzie, when less important matters appear in this report, to have quoted that letter?

Hon. Mr. MACPHERSON—It is noticed in the report.

Hon. Mr. SCOTT—It ought to have been prominently set forth in the report, and attention ought to have been called to the fact that, when Mr. Mackenzie found what Mr. Brown had been doing, he at once snubbed him, and in a way that professional men are not accustomed to, yet we are told that Mr. Mackenzie was playing into the hands of Oliver, Davidson & Co.

Hon. Mr. MACPHERSON—If the hon. gentleman will look at page five he will find an extract is given from Mr. Mackenzie's evidence.