

is no political friend of mine, nor of my friends; he has no claim on me or any Liberal in the county. He has acted faithfully in his position for many years, and for this one act one of the best officials has been removed. I am sorry, for the sake of the service and for Mr. Torey personally, that this should have been done, and I regret that the Government, after keeping silence so long, found it necessary after the election was over, by the action of my late opponent, to initiate this action. The Government did not do this of their own motion, but my late opponent, seeing that Mr. Torey did not give him his individual support and refrained from voting, brought pressure on the Government to obtain his removal. I assert before the Minister of Marine and Fisheries that if my late opponent had not brought pressure to bear, the Government would not have taken this action in regard to Mr. Torey. I regard this action—I am not speaking in Mr. Torey's interest but in the interests of the officials—as a great wrong committed on a good officer, a wrong which will be resented by many of the best friends of the Government; and though I might be presumed to wish that the Government should go on causing men to feel aggrieved, yet I am bound to say in regard to Mr. Torey that I expect no favour from him or any of his friends, but I am simply speaking of a good official and faithful servant who, I think, has been unfairly dealt with.

Mr. TUPPER. The hon. gentleman has taken an extraordinary position in this case. It seems we have done a great wrong to a Conservative, a party man, from whom he expects no favours, who, he says, is a supporter of the Government and whose name is "Torey." It so happens that another of the cases to which the hon. gentleman alluded was that of Mr. Ross, a case not so extreme as this, in my judgment, nor of such a serious character. I believe Mr. Ross, though at one time a Liberal, yet at the time the Government took action against him was a supporter of the Government and in sympathy with it. I may say at the outset to the hon. member for Guysborough (Mr. Fraser), who seems to know far more than anyone as to the reasons which prompted the Government, that, speaking for myself and for the Government—because it was by my action and that of the Minister of Customs that the step was taken in connection with Mr. Torey—I do not think he is acquainted with the facts. The hon. gentleman says Mr. Torey is still a Conservative. I did not know, and I did not enquire how he voted at the last election, and I never would have known so much about his political faith and actions at the last election had he not written to me since this action was taken by the Government in connection with his office. That was the first intimation I had of this gentleman's conduct in the last election; it was a long letter, in which he went fully into the reasons for not supporting Mr. Ogden. Much as the hon. member for Guysborough (Mr. Fraser) thinks he knows about the case, he has not studied it with that care which was necessary from the papers which he held in his hand. The cause of the action of the Government occurred long ago, and the burden of the hon. gentleman's argument was that it was not wrong to dismiss him, but if you had to dismiss him, you should not have permitted him to remain in office from April of last year to

Mr. FRASER.

May of this year. So, instead of doing the officer the great injustice the hon. gentleman contends, the Government have given him a year, which they should not have given him according to the hon. gentleman. The hon. gentleman will not allow even extenuating circumstances to be pleaded on the part of this officer, that he was old in years; but he insists that he was a vigorous, vigilant and intelligent officer, thoroughly posted in his duties and able to carry them out efficiently. If that states correctly the conduct of that officer, he is without any excuse. The only conclusion from the argument would be that in superannuating that officer the Government had acted wrongly, and he should have been instantly dismissed. The hon. gentleman's statement of the facts is incorrect, and he could not support it by the papers he had before him. He seeks to lead the House to believe that this officer acted with great discretion and within his power as a Customs officer; that he found himself in this position: there was a violation of the Customs Act and a violation of the Fisheries Act, and with great discretion he extracted the highest penalty known under the Customs laws, because he felt it was impossible for him to do any more or go any further. If the statement be correct that this action was taken under the Customs law, this officer showed he had power to exact the highest penalty offered to him, and he did so. But the hon. gentleman took another turn, and, forgetting that statement, he said in effect he arrested him for an offence under the Fisheries Act, which he well knows to be a violation under that Act in the most important points connected with the fisheries and our contention in regard to them, and he attempted to do nothing. The hon. gentleman must bear in mind that that was an afterthought of Overseer Torey, and it places his position in a worse light. For this reason he sent in a formal report on the arrest and detention of the vessel for an offence against the Customs law; but he sent in a report stating exactly what he did:

"That he arrested this ship, to the value of \$10,000, for an infraction of the revenue laws of the Dominion, for having, while in the harbour of Canso, on the night of 21st April, 1890, discharged and sold a portion of her cargo, namely, fresh and salted fish, and did also take on board ice and other fishing supplies, not having obtained a license or permission to do so."

Then he goes on to state all the particulars, stating succinctly that it was not only for a violation of the Custom and fishery laws generally, but pointing out in particular the laws that had been violated. For that offence against the fishery laws he knew the penalty was confiscation, and that the Act of Parliament gave no discretion for any less penalty. He had before him the case of Collector Ross that was discussed in this House last year, where some hon. gentlemen opposite complained of undue severity on the part of the Government. He knew that the answer of the Government had been: that, while the punishment was severe, it was necessary in the most emphatic manner possible to mark disapproval of an officer acting without authority in permitting a violation of the Fisheries Act, contrary to the terms of the Treaty of 1818, and that any other conduct on the part of the Government and any toleration of that irregularity on the part of the officers on our coast would injure our position in any international arrangements on every future occasion when the fishery