

member who is now no more, any other hon. member can take it up.

Mr. BLAKE. Perhaps the hon. gentleman would intimate that unless some hon. member takes it up at the next sitting, he will move for its discharge.

Sir JOHN A. MACDONALD. Yes.

#### FRAUD IN CONTRACTS INVOLVING THE EXPENDITURE OF PUBLIC MONEYS.

Mr. CASGRAIN, in moving for the second reading of Bill (No. 5) to better prevent fraud in contracts involving the expenditure of public moneys, said: I do not know to what extent the legislation I propose will be able to put a stop to frauds of this kind. These frauds are a kind of poison that creep into the social body; it is very difficult to reach them, and still more difficult to eradicate. Nevertheless, I deemed it my duty to introduce a Bill which, I think, will not only meet with the approbation of this House, but also the approval of the country. I would have wished to see the present Government take up this measure; I think they would be rendering a great service to the country by bringing down such a Bill. On the other hand, as on the first reading, I made the same proposal, which was not accepted, I think I am fulfilling my duty as a member in introducing this Bill, which has three principal objects. Among others, in the first place, to prevent what are called middlemen or brokers from interfering with public contracts. We all know, and unhappily it is only too true, that these brokers, in order to lend their influence in favor of individuals, exact what we call in French *petite douceurs*. I am of opinion that such a business is direct corruption. That is why, by the first clause of the Bill, I propose making these different acts a misdemeanor, punishable as such upon conviction before the ordinary courts. The second object that I have in view is to prevent tenderers in public contracts from withdrawing their tenders for certain considerations, in order to help other tenderers, thus depriving the country of a profit or unduly obliging it to pay considerable sums that might otherwise be saved. This kind of fraud is not provided against by our legislation. It is, nevertheless, provided against by the legislation of the Province of Quebec. I would mention, in support of this statement, the case of public sales by the Sheriff. All the bidders are held to be independent one from another; to be bound each by his respective bid. When they form a ring to acquire a property at a low price, the sale is fraudulent and voided by the courts of justice. This legislation is based upon sound morality and upon true reason; it is made in order to prevent what might be called indirect stealing. All public contracts tainted with such fraud should be declared void, and all such tenderers should be deprived of the right of obtaining or carrying on any contract with the Government. I will endeavor to introduce a clause in that direction, if, as I hope, the Bill comes before the Committee of the Whole. I, moreover, wish to protect public officers against attempts that might be made to captivate their kindness as to corrupt them in the execution of their duty, and to punish those who would make them either offers, gifts or promises of any kind, so as to induce them to disclose the secrets of the public departments. As these different acts are tainted with fraud, it is necessary to suppress, as far as possible, such abuses. I, therefore, make a misdemeanor of such cases, and there is not only a pecuniary penalty attached to these acts, on conviction, but moreover, there is a brand of infamy, that is to say, an imprisonment, so that this infamous stain may deter all those who might be tempted to corrupt a public officer, or commit any of these offences. Another clause contemplates preventing all public contractors, or those wishing to become such, or those who are entrusted with the execution of a public contract, from contributing either directly or indirectly to

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general election funds, or for political objects, from heavily subscribing, as examples have been seen, and guarding against a repetition of what has unhappily already occurred in this country. I do not think that too severe restrictions can be established, nor too exemplary punishment be inflicted upon those who should attempt by this means to corrupt the electorate, so I call such acts misdemeanors and I want them to be punished as such, and also punished by a fine or an imprisonment, at the discretion of the Court. I do not wish to dwell at any length upon the facts that have induced me to introduce this measure. I think that it has become absolutely necessary, and that in these, our times, this kind of corruption is extending all over America. Not only do we need such legislation in this country, but I also observe that even in the United States, since the introduction of my Bill, a like measure has been introduced in Congress, in order to protect public officers, and to prevent public contractors from unduly influencing these officers. With the remarks, Mr. Speaker, I make my motion. Without saying anything further about this Bill, at the same time I am well aware that the measure is susceptible of amendment, and I shall be happy to receive any suggestion coming from either side of the House; but, under the circumstances, I wish to make the Bill as severe as possible, and I think I have fulfilled my duty as a member in bringing it before the House.

Sir JOHN A. MACDONALD. There is now a measure of a very drastic and severe character before the Imperial Parliament for the purpose of preventing fraud by all proper means. The Government propose to see that measure before dealing with the whole subject, and to extend the provisions of our present Election Law which, in some respects, are so severe as to be inoperative, and in other respects are too lax. As regards the fourth clause I think that must be excised from my hon. friend's Bill. I have no objection to the second reading of the Bill, and that it shall stand for Committee of the Whole, but, at the same time, I am convinced that he had better let it go to a Select Committee. The second reading might be taken now, and before moving to send it to Committee of the Whole, if my hon. friend agrees with me, we may settle upon a Select Committee to consider the Bill.

Mr. CASGRAIN. I am willing to accept a Select Committee. At the same time I think the last clause meets a want not provided for in the General Election Act.

Sir JOHN A. MACDONALD. It ought to be provided for in the General Election Act.

Mr. CASGRAIN. But it is not, and in the meantime I desire to put that clause in the Bill in order to make it perfect.

Bill read the second time.

#### INSOLVENCY.

Mr. McCUAIG, in moving the second reading of Bill (No. 39) to amend the Insolvent Act of 1875, and amending Acts, said: The object of this Bill was to repeal a clause introduced last year by the hon. member for West Durham, which gave an insolvent the option of paying fifty cents on the dollar before getting a discharge. He wished to repeal that clause and revive the one which gave Judges a right to discharge where there was no fraud. He had no direct interest in this matter, and no case, direct or indirect, in his own county. He thought that power should be again given to Judges to discharge those who have been unfortunately in the Insolvent Courts where there was no fraud proven. It must be evident to this House that the mere fact of paying 50, or 60 or 70 cents on the dollar, was no evidence of a man being dishonest. There were cases in which men paid almost nothing, and yet were perfectly honest; there were other