

letter, stating that he was unable to give an opinion, and this was the discourtesy complained of.

The hon. gentleman complained that he had written another discourteous letter. After communicating with the Minister of Militia, Mr. Starr wrote to him (Mr. Blake). The proceedings were conducted in his office until such time as he had advised the Government and they had come to a conclusion. The question of dealing with various petitioners was then considered, and it was perceived to be impossible for them to indicate the course they intended to pursue. It was, therefore, decided to refer each petitioner, as he applied, to the official organ, who would simply and plainly intimate that the action was deferred. They took this responsibility of deferring action with the view of submitting to Parliament the proposed amendment of the law, and they conceived it would be improper to disclose to suitors their propositions in advance of disclosing them to Parliament. Having made this arrangement, he wrote to Mr. Starr to the effect that not being the official medium of communication of the Government, it was not within his province to reply, and intimated that the Secretary of State was the proper person. At the same time he sent Mr. Starr's letter to the Secretary of State with the request that he would give it his immediate attention. What was there discourteous and improper in this? He had before him a telegram from Mr. Starr stating that he had done what was satisfactory to him. The charge that the Secretary of State was the cause of the delay was also unfounded. Any delay that might have occurred was owing to the neglect of Mr. Starr's legal advisers in forwarding him the letter of the Secretary of State. He denied that either that official or himself had been guilty of discourtesy to the petitioner.

No man's rights were taken away by this Bill; on the contrary, they were enlarged. In England there was a wholesome sound principle of legislation which objected to retroactive measures. It was a cardinal rule, however, that that practice should not apply to procedure. But the machinery by which the law was enforced was

frequently changed whenever the public interest required. In this instance the form was changed, but the petitioner still had his rights. His petition would be tried in a tribunal which he hoped was not an unfit one, and with which Mr. Starr had expressed his satisfaction.

Sir JOHN A. MACDONALD said when the Bill was introduced he expressed his satisfaction with the clause placing the jurisdiction in the Supreme Court; this arrangement was advantageous to the suitor against the Crown. He objected to that portion of the hon. gentleman's reply to the member for Cumberland, in which he said if the Government had acted wrongly in this matter, there was the remedy of appealing to Parliament. That was not a satisfactory reply to any charge of neglect of duty, which ought to be answered, and the hon. gentleman might have thrown himself upon the House,

Hon. Mr. BLAKE.—I should willingly throw myself on the hon. gentleman.

Sir JOHN A. MACDONALD —That would be rather taking me at a disadvantage. He doubted whether the hon. gentleman had the right to assume the grave responsibility of deferring the claim until legislation had been effected. His hon. friend ought to bear in mind when he was passing the Petition of Rights Act, that it would be well at once to give jurisdiction to the General Courts. An Act was in existence at the time of this correspondence conferring the right on any person having a claim against the Crown to proceed in the Courts where a petition could be properly tried.

Hon. Mr. BLAKE said he pointed out certain exceptions, which in his opinion applied to many petitions. For obvious reasons he declined to say whether they would apply to the case referred to by the member for Cumberland.

Sir JOHN A. MACDONALD quite understood that, but if Mr. Starr had no right, under the Act of last Session, his hon. friend ought to have told him so and refused the *fiat*. That would not have prevented the gentleman from re-petitioning under the new